



City of Loma Linda Official Report

Floyd Petersen, Mayor
Karen Gaio, Mayor pro tempore
Robert Christman, Councilmember
Stan Brauer, Councilmember
Robert Ziprick, Councilmember

COUNCIL AGENDA: November 18, 2003

TO: City Council

VIA: Dennis R. Halloway, City Manager *DRH*

FROM: Deborah Woldruff, AICP *DW*
Community Development Director

SUBJECT: Request for Approval of an Agreement for Professional Services
for the Preparation of Environmental Documents for the San
Timoteo Creek Habitat Enhancement Project

RECOMMENDATION

It is recommended that the City Council approve the Agreement for Professional Services (Attachment 1) with Lilburn Corporation to prepare the environmental documents for the San Timoteo Creek Habitat Enhancement Project/Environmental Protection Agency (EPA) Grant (Project).

BACKGROUND

On September 23, 2003, the Community Development Department released a Request for Proposals and Qualifications (RFP/Q) to three environmental consultant firms located in the East Valley area – AEI CASC, Lilburn Corporation, and Michael Brandman Associates (MBA). Proposals were received from Lilburn Corporation and MBA on October 13, 2003, the closing date for the RFP/Q submittal period. AEI CASC declined to submit a proposal.

A detailed background on the San Timoteo Creek Habitat Enhancement Project/EPA Grant is available in Attachment 2.

ANALYSIS

In order to utilize the grant funding, environmental documents must be prepared to meet the requirements of the National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA). The preparation of the required environmental documentation calls for an expertise in NEPA, CEQA, and other environmental regulations, and a familiarity with the plant and animal species that typically comprise riparian habitat in Southern California's inland areas.

The proposals received from Lilburn Corporation and MBA outlined very similar Scopes of Work and both firms are eminently qualified to prepare the environmental documents. The major differences between the proposals are in the work schedules and costs. MBA proposes to complete the work in 6.5 months at a cost of \$63,300 while Lilburn Corporation proposes a timeframe of 9.5 months and at a cost of \$45,000. Staff has anticipated that the environmental process for the Project would require about one year to complete and \$60,000 was included in the project budget to cover the associated costs. Due to the lower cost included in Lilburn Corporation's proposal, staff selected the firm to complete the environmental documentation for the Project.

ENVIRONMENTAL

The San Timoteo Creek Habitat Enhancement Project is subject to both NEPA and CEQA and the approval of the Agreement for Professional Services is a necessary step towards compliance with the regulatory requirements.

FINANCIAL IMPACT

The project budget approved for the Project includes \$60,000 for planning and environmental tasks. Lilburn Corporation proposes to complete the environmental documentation for a not to exceed amount of \$45,000. The Agreement will be paid for out of the salary savings with no further need for appropriation (Account No. 25-7300-1830).

ATTACHMENTS

1. Agreement for Professional Services
Exhibits: A. Scope of Work (and Qualifications)
B. Project Cost
2. Detailed Background Information on the San Timoteo Creek Habitat Enhancement Project/EPA Grant

PROFESSIONAL SERVICES AGREEMENT

THIS AGREEMENT is made and entered into this _____ day of _____, 2003, by and between THE CITY OF LOMA LINDA, a Municipal Corporation (hereinafter referred to as "CITY") and LILBURN CORPORATION a California corporation, (hereinafter referred to as "CONSULTANT").

A. RECITALS

1. CITY has heretofore issued its Request for Proposal pertaining to the performance of professional services with respect to the SAN TIMOTEO CREEK HABITAT ENHANCEMENT PROJECT, ENVIRONMENTAL DOCUMENTATION ("PROJECT" hereinafter);

2. CONSULTANT has now submitted its proposal for the performance of such services;

3. CITY desires to retain CONSULTANT to perform professional services necessary to render advice and assistance to CITY in the preparation of PROJECT;

4. CONSULTANT represents that it is qualified to perform such services and is willing to perform such services as hereinafter defined.

NOW, THEREFORE, IT IS AGREED by and between CITY and CONSULTANT as follows:

B. AGREEMENT

1. **Definitions:** The following definitions shall apply to the following terms, except where the context of this Agreement otherwise requires:

a. **PROJECT:** The preparation of all of the necessary maps, plans, reports and documents with respect to the Environmental Project as outlined in the Scope of Work described in Exhibit "A" hereto;

b. **SERVICES:** Such professional services as are necessary to be performed by CONSULTANT in order to complete the PROJECT;

c. **COMPLETION OF PROJECT:** The date of completion of all phases of the PROJECT, including any and all procedures, development plans, maps, surveys, plan documents, technical reports, meetings, oral presentations and attendance by CONSULTANT at public hearings and/or meetings regarding the Project is set forth in the Project Schedule contained in Exhibit "A".

2. CONSULTANT agrees as follows:

a. CONSULTANT shall forthwith undertake and complete the PROJECT in accordance with Exhibit "A" and applicable Federal, State and CITY statutes, regulations, ordinances and guidelines, all to the reasonable satisfaction of the CITY.

b. CONSULTANT shall supply copies of all maps, surveys, reports, plans and documents (hereinafter collectively referred to as "documents") including all supplemental technical documents, as described in Exhibit "A" to CITY within the time specified in the Project Schedule, contained in Exhibit "A". Copies of the documents shall be in such numbers as are required by Exhibit "A". CITY may thereafter review and forward to CONSULTANT comments regarding said documents and CONSULTANT shall thereafter make such revisions to said documents as are deemed necessary. CITY shall receive revised documents in such form and in the quantities determined necessary by CITY. The time limits set forth pursuant to this Section B2b may be extended upon a written approval of CITY.

c. CONSULTANT shall, at CONSULTANT'S sole cost and expense, secure and hire such other persons as may, in the opinion of CONSULTANT, be necessary to comply with the terms of this Agreement. In the event, any such other persons are retained by CONSULTANT, CONSULTANT hereby warrants that such other persons shall be fully qualified to perform services required hereunder. CONSULTANT further agrees that no subcontractor shall be retained by CONSULTANT except upon the prior written approval of CITY.

d. CONSULTANT shall, at CONSULTANT'S sole cost and expense, secure the required issuance of a City Business License as a condition precedent to being engaged as a CONSULTANT within the CITY.

3. CITY agrees as follows:

a. To pay to CONSULTANT for time and materials not to exceed a maximum sum of \$45,000 for the performance of the services required hereunder. This sum shall cover the cost of all staff time and all other direct and indirect costs or fees, including the work of employees, consultants and subcontractors to CONSULTANT. Payment to CONSULTANT, by CITY, shall be made in accordance with the Schedule of Fees, as set forth in Exhibit "B".

b. Payments to CONSULTANT shall be made by CITY in accordance with the invoices submitted by CONSULTANT, on a monthly basis, and such invoices shall be paid within a reasonable time after said invoices are received by CITY. All charges shall be detailed in Exhibit "B" with respect to hourly rates for individual tasks. In no event, however, shall said invoices exceed ninety percent (90%) of individual task totals described in Exhibit "B".

c. CONSULTANT agrees that, in no event, shall CITY be required to pay to CONSULTANT any sum in excess of ninety percent (90%) of the maximum payable hereunder prior to receipt by CITY of all final documents, together with all supplemental technical documents, as described herein acceptable in form and content to CITY. Final payments shall be made not later than sixty (60) days after presentation of final documents and acceptance thereof by CITY.

d. Additional Services: Payments for additional services requested, in writing, by CITY, and not included in the Scope of Work as set forth in Exhibit "A" hereof, shall be paid on a reimbursement basis in accordance with the schedule of fees set forth in Exhibit "B". Charges for additional services shall be invoiced on a monthly basis and shall be paid by CITY within a reasonable time after said invoices are received by CITY.

4. CITY agrees to provide to CONSULTANT:

- a. Information and assistance as set forth in Exhibit "A" hereto;
- b. Photographically reproducible copies of maps and other information, if available, which CONSULTANT considers necessary in order to complete the Project;

c. Such information as is generally available from CITY files applicable to the Project;

d. Assistance, if necessary, in obtaining information from other governmental agencies and/or private parties. However, it shall be CONSULTANT'S responsibility to make all initial contact with respect to the gathering of such information.

5. Ownership of Documents: All documents, data, studies, surveys, drawings, maps, models, photographs and reports prepared by CONSULTANT pursuant to this Agreement shall be considered the property of the CITY and, upon payment for services performed by CONSULTANT, such documents and other identified materials shall be delivered to CITY by CONSULTANT. CONSULTANT may, however, make and retain such copies of said documents and materials as CONSULTANT may desire.

Any use or reuse of the plans and specifications, except at the site intended, or any alteration or revision of the plans or specifications by the CITY, its staff, or authorized agents without the specific written consent of the CONSULTANT shall be at the sole risk of CITY. The CITY agrees to hold harmless and indemnify the CONSULTANT against all damages, claims and losses, including defense costs arising out of any such alteration or revision, or use or reuse at another site, by CITY, its staff or authorized agents.

6. Termination: This Agreement may be terminated by CITY upon the giving of written "Notice of Termination" to CONSULTANT at least fifteen (15) days prior to the date of termination specified in said Notice. In the event this Agreement is so terminated, CONSULTANT shall be compensated at CONSULTANT'S applicable hourly rates as set forth in Exhibit "B", on a pro rata basis with respect to the percentage of the PROJECT completed as of the date of termination. In no event, however, shall CONSULTANT receive more than the maximum specified in paragraph 3a above. CONSULTANT shall provide to CITY any and all documents, data, studies, surveys, drawings, maps, models, photographs and reports, whether in draft or final form, prepared by CONSULTANT as of the date of termination. CONSULTANT may not terminate this Agreement except for cause.

7. Notices and Designated Representatives: Any and all notices, demands, invoices and written communications between the parties hereto shall be addressed as set forth in the Paragraph 7. The below-named individuals, furthermore, shall be those persons primarily responsible for the performance by the parties under this Agreement:

CITY:

CITY OF LOMA LINDA

Name: Deborah Woldruff

Title: Director of Community Development Department
25541 Barton Road, Loma Linda, CA 92354

CONSULTANT:

LILBURN CORPORATION

Name: Stephen T. Lilburn

Title: President

Address: 1905 Business Center Drive, San Bernardino, CA 92408

Any such notices, demands, invoices or written communications, by mail, shall be deemed to have been received by the addressee forty-eight (48) hours after deposit thereof in the United States Mail, postage prepaid, and properly addressed as set forth above.

8. Insurance: CONSULTANT shall neither commence work under this Agreement until it has obtained all insurance required hereunder in a company or companies acceptable to CITY nor shall CONSULTANT allow any subcontractor to commence work on a subcontract until all insurance required of the subcontractor has been obtained. CONSULTANT shall take out and maintain at all times during the term of this Agreement the following policies of insurance:

a. Workers' Compensation Insurance: Before beginning work, CONSULTANT shall furnish to CITY a Certificate of Insurance as proof that it has taken out full Workers' Compensation Insurance for all persons whom it may employ directly or through subcontractors in carrying out the work specified herein, in accordance with the laws of the State of California.

In accordance with the provisions of California Labor Code, Section 3700, every employer shall secure the payment of compensation to his employees. CONSULTANT shall, prior to commencing work, sign and file with CITY a certification as follows:

I am aware of the provisions of Section 3700 of the California Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self insurance in accordance with the provisions of that Code, and I will comply with such provisions before commencing the performance of the work of this Agreement."

b. Public Liability and Property Damage: Throughout the term of this Agreement, at CONSULTANT'S sole cost and expense, CONSULTANT shall keep, or cause to be kept, in full force and effect, for the mutual benefit of CITY and CONSULTANT, comprehensive, broad form, general public liability and automobile insurance against claims and liabilities for personal injury, death, or property damage arising from CONSULTANT'S activities, providing protection of at least One Million Dollars (\$1,000,000.00) for bodily injury or death to any one person or for any one accident or occurrence, and at least One Million Dollars (\$1,000,000.00) for property damage.

c. Errors and Omissions: CONSULTANT shall take out and maintain at all times during the term of this Agreement, a policy or policies of insurance concerning errors and omissions providing protection of at least Five Hundred Thousand Dollars (\$500,000.00) for errors and omissions ("professional") with respect to loss arising from actions of CONSULTANT performing services hereunder on behalf of CITY.

d. General Insurance Requirements: All insurance required by express provision of this Agreement shall be carried only in responsible insurance companies licensed to do business in the State of California or as otherwise approved by the City's risk management officer. Policies required under Paragraph 8b shall name, as additional insureds, CITY, its elected officials, officers, employees, and agents. All policies shall contain language, to the extent obtainable (and as approved by the City's risk management officer), to the effect that (1) the insurer, insured and all subcontractors waive the right of subrogation against CITY and CITY'S elected officials, officers, employees, and agents; (2) the policies are primary and noncontributing with any insurance that may be carried by CITY; and (3) they cannot be canceled or materially changed except after thirty (30) days' written notice by the insurer to CITY by certified mail. CONSULTANT shall furnish CITY with copies of all such policies promptly upon receipt of them, or certificate evidencing the insurance. CONSULTANT may effect for its own account insurance not required under this Agreement.

9. Indemnification: CONSULTANT shall defend, indemnify and save harmless CITY, its elected and appointed officials, officers, agents and employees from all liability from loss, damage, or injury to persons or property, including the payment by CONSULTANT of any and all legal costs and attorneys' fees, in any manner arising out of any negligent or intentional or willful acts or omissions of CONSULTANT in the performance of this Agreement, including, but not limited to, all consequential damages to the maximum extent permitted by law. Said indemnification shall include any claim that CONSULTANT, or CONSULTANT's employees or agents, are considered to be employees of the CITY or are entitled to any employee benefits from CITY, including but not limited to those available under Public Employees Retirement Law.

10. Assignment: No assignment of this Agreement or of any part or obligation of performance hereunder shall be made, either in whole or in part, by CONSULTANT without the prior written consent of CITY.

11. Independent Contractor: The parties hereto agree that CONSULTANT and its employees, officers, and agents are independent contractors under this Agreement and shall not be construed to be employees of CITY for any purpose, including eligibility under Public Employees Retirement Law.

12. Compliance With Laws: CONSULTANT shall comply with all applicable laws in performing its obligations under this Agreement.

13. Confidentiality: Information and materials obtained by the CONSULTANT from CITY during the performance of this Agreement shall be treated as strictly confidential and shall not be used by the CONSULTANT for any purpose other than the performance of this Agreement.

14. Discrimination: The CONSULTANT agrees that no person shall be excluded from employment in the performance of this Agreement on grounds of race, creed, color, sex, age, marital status, or place of national origin. In this connection, the CONSULTANT agrees to comply with all County, State and Federal laws relating to equal employment opportunity rights.

15. Government Law: This Agreement shall be governed by and construed in accordance with the laws of the State of California.

16. Attorneys' Fees: In the event any legal proceeding is instituted to enforce any term or provision of this Agreement, the prevailing party in said legal proceeding shall be entitled to recover attorneys' fees and costs from the opposing party in an amount determined by the Court to be reasonable.

17. Entire Agreement: This Agreement supersedes any and all other agreements, either oral or in writing, between the parties with respect to the subject matter herein. Each party to this Agreement acknowledges that no representation by any party which is not embodied herein nor any other agreement, statement, or promise not contained in this Agreement shall be valid or binding. Any modification of this Agreement shall be effective only as it is in writing, signed by all parties.

IN WITNESS WHEREOF, the parties hereto execute this Agreement as of the day and year first set forth above.

CONSULTANT:
Lilburn Corporation
A California Corporation

CITY:
City of Loma Linda, A Municipal
Corporation

By: _____
Typed/Printed Name: Stephen T. Lilburn
Title: President

By: _____
Floyd Petersen
Title: Mayor

ATTEST:

Pamela Byrnes-O'Camb, City Clerk

APPROVED AS TO FORM:

Richard E. Holdaway, City Attorney

EXHIBIT "A"

SCOPE OF WORK
(AND QUALIFICATIONS)

EXHIBIT "B"
PROJECT COST

WORKERS' COMPENSATION INSURANCE CERTIFICATION

I am aware of the provisions of Section 3700 of the California Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self insurance in accordance with the provisions of that Code, and will comply with such provisions before commencing the performance of the work of this Agreement.

Signature

Dated: _____

EXHIBIT A

PROPOSAL TO PREPARE NEPA/CEQA DOCUMENT FOR THE SAN TIMOTEO CREEK HABITAT ENHANCEMENT PROJECT – PROPERTY ACQUISITION

VOLUME II – PROPOSED SCOPE OF WORK

Prepared for:

**City of Loma Linda
Department of Community Development
25541 Barton Road
Loma Linda, CA 92354-3160**

Prepared by:

**Lilburn Corporation
1905 Business Center Drive
San Bernardino, CA 92408
(909) 890-1818**

October 16, 2003

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1.0 PROJECT APPROACH AND UNDERSTANDING

The U.S. Army Corps of Engineers (Corps) and the County of San Bernardino Flood Control District (FCD) are responsible for implementing flood control measures along the San Timoteo Creek which is tributary to the Santa Ana River. The Corps has completed plans for flood control measures in reaches of the creek between the Riverside/San Bernardino County line and San Timoteo Canyon in the City of Redlands. An EIS/EIR was completed for these plans in 1999. The design does not incorporate natural habitat within the drainage channel improvements and the cities of Loma Linda and Redlands, and the County of San Bernardino view the mitigation for loss of habitat as minimal. Therefore, federal funds were sought to implement a restoration project that would provide for additional natural habitat along certain reaches of the creek. An application for grant funding was submitted to the U.S. Environmental Protection Agency (EPA) in early 2003 to assist in the restoration of northerly reaches of the creek and re-establishment of the San Timoteo Creek wildlife corridor.

The scope of the San Timoteo Creek Restoration project is approximately ten miles, passing through the City of Loma Linda, the City of Redlands, and unincorporated areas of San Bernardino County. All three agencies are stakeholders in the project and have agreed to share in the funding and the planning effort with the City of Loma Linda acting as the Lead Agency. The overall project scope is described in two phases, however all work completed in Phase I will simply be extended into Phase II as additional funding becomes available. It may therefore be logical to assume that both phases be included and addressed in the environmental documentation to allow tasks within the phases to occur based on funding availability. The following tasks are identified:

- Strategic Plan
- Land Acquisition Plan
- Conceptual Habitat Restoration Plan
- Financial Plan
- CEQA/NEPA Process
- Stakeholder/Partnership/Public Process

The time frame for these tasks as outlined in the grant application will need to be slightly altered to meet EPA's recent decision that the National Environmental Protection Act (NEPA) process must be completed prior to land acquisition and because the stakeholders desire to acquire the properties while there are still willing sellers (and donors). Acquisition of private lands by public agencies for the purpose of carrying out a future project will also require compliance with the California Environmental Quality Act (CEQA).

The land acquisition will therefore be initiated before completion of the Conceptual Habitat Restoration Plan. The Conceptual Plan is defined in the Phase I Workplan and Project Summary to include a habitat restoration plan, development of storm water/urban run-off features, earthwork requirements, interpretive features, fencing and other appurtenances, landscape plans, trail elements, and other capital items. These physical changes to the environment will also require environmental review once they are fully identified. Should the properties under consideration show potential for habitat of any threatened or endangered species, additional

environmental work would be required for developing mitigation in consultation with the U.S. Fish and Wildlife Service and/or California Department of Fish and Game.

This proposal, to assist the stakeholders in complying with the requirements of the EPA for appropriating grant funds and to provide for NEPA and CEQA compliance therefore focuses on the land acquisition element of the project. Further environmental work will be required upon completion of the other project tasks (e.g. Conceptual Plan) and can be addressed in supplemental environmental documents. The time frame provided for completion of all planning documents is lengthy and it is therefore recommended that any protocol surveys for biological species not be conducted as a part of this initial environmental work for land acquisition.

The EPA has also indicated that the NEPA/CEQA document cannot be tiered off of the EIR/EIS prepared by the Corps. That document however can provide valuable information to assist in preparation of the proposed project's environmental evaluation.

The first step in the NEPA/CEQA process is the development of a project description and description of alternatives that will be evaluated in an EA as required under NEPA. Assuming that all identified impacts of land acquisition will be or can be mitigated to a level of less than significant, the EA will lead to a Finding of No Significant Impact (FONSI); the document that will be used to support the EPA's release of funding for the project. Since local agencies will be involved in the land acquisition, an Initial Study (IS) as required under CEQA, will also be prepared that will likely lead to a Mitigated Negative Declaration (assuming no significant impacts). The environmental document prepared for the project will be a joint EA/IS that will meet the Cities' and County's needs in acquiring all property as identified for proceeding with the complete restoration project.

The following tasks will be conducted that will lead to the issuance of a Notice of Determination (City and County) and Record of Decision (Federal) to support the proposed land acquisition. Completion of these tasks will result in a number of work products:

- Development of a Description of the Project and Alternatives (as required under NEPA);
- Administrative Draft Environmental Assessment/Initial Study;
- Published Notice of Intent to adopt a Negative Declaration (IS/EA will be attached);
- Draft Notice for use by EPA for Federal Register Notification;
- Mitigation Monitoring and Reporting Program; and
- Final Environmental Documents.

The EPA will be the federal agency responsible for processing the EA and Finding of No Significant Impact (FONSI). The EA/IS and Negative Declaration will be completed as a part of this work for adoption by the Loma Linda City Council. This work can be completed within the timeframe identified in Section 4.0 herein.

2.0 SCOPE OF WORK

TASK 1: DATA AND SITE REVIEW/PROJECT DESCRIPTION AND ALTERNATIVES

Data and Site Review

This task will include a review of existing available information about the overall restoration project, including any concept plans and background reports, the 1999 Corps EIS/EIR, as well as available information on the properties under consideration for acquisition. We propose to undertake a detailed evaluation of this data and to use it as applicable for inclusion in the EA/IS. It is possible that during this review, additional data needs could be revealed. If, after reviewing the existing information, we conclude that some additional baseline data are required to make the environmental evaluation complete, we will bring this to the attention of the City of Loma Linda's Project Manager and discuss how this issue should be resolved prior to taking on any additional data collection tasks.

This task will also include a site visit to provide a preliminary assessment of the subject properties and adjacent properties. We will take photographs and describe the existing conditions of each parcel and surrounding land uses for inclusion in the EA/IS. Detailed surveys for cultural or biological resources are not a part of this work.

Project Description/Description of Alternatives

Upon completion of the data review, we will prepare a draft project description for review/approval prior to commencing with preparation of the EA/IS. This effort will be conducted in consultation with the Cities, the County, and EPA; a preliminary concept of the Project Description may best be developed in a "team meeting". As required under NEPA, the environmental assessment must also include a description and evaluation of alternatives to the project. Information from the Corps EIS/EIR may be used to develop the project alternatives.

Deliverable: Twelve copies of a Draft Project Description and Description of Alternatives.

TASK 2: PREPARE ENVIRONMENTAL ASSESSMENT/INITIAL STUDY

Based on the final project description and description of alternatives, and all background data compiled for the project, we will prepare an EA/IS that complies with NEPA and CEQA. The joint document will be prepared using either the City of Loma Linda's Initial Study format modified to include a discussion of alternatives as required under NEPA, or a document format provided by EPA. The final document format, including mitigation and supporting documentation as will be determined after consultation with EPA.

We propose to undertake no focused studies, but to provide a discussion of the preliminary restoration alternatives and to identify impacts that could occur upon implementation of the actual restoration plan. Additional analyses and focused surveys will likely be required upon completion of the program's Strategic Plan and Conceptual Habitat Restoration Plan.

We will review recent adjacent projects' biological assessments (if any), gather data base information regarding biological resources, cultural resources, and prior uses of the properties that may identify any potential hazardous materials use, and run chains of property title. We will describe the properties and include photos taken during the site review to document the current state of the properties and document surrounding adjacent land uses.

The Cities and County will review and comment on the preliminary document and comments will be incorporated into a draft for submittal to agencies again for a second review. We will then respond to their comments and finalize the document for a review by the EPA.

Upon completion of the document, including responses to EPA comments, we will distribute the document to the public for a 30-day review period.

The EA/IS will be distributed to permitting agencies and the public for a period of 30 days.

Draft Deliverable: Six copies of the screencheck draft EA/IS for review and comment by Cities of Loma Linda and Redlands and the County of San Bernardino.

Draft Deliverable: Nine copies of the revised EA/IS for review and comment by the local agencies and EPA prior to public distribution.

Final Deliverable: Up to twelve copies of the revised draft IS/EA for submittal to City of Loma Linda.

Final Deliverable: Fifty copies of the IS/EA for submittal to City for distribution and public review.

TASK 3: PREPARE FINAL DOCUMENTS

Upon completion of the public review period, our project team will review any comments received on the document and discuss with City and County staff, any substantive changes that should be made to the document as a result of the comments received.

In addition to any revisions to the draft document we will also prepare the Mitigation Monitoring and Reporting Program (MMRP) for the project. The revised EA/IS and MMRP constitute the final documents that will be used by the agencies to support implementation of the project.

Draft Deliverable: City of Loma Linda will receive six draft copies of the Revised EA/IS and MMRP for review and comment by the stakeholders. Upon incorporation of City/County comments, three copies will be submitted to EPA.

Final Deliverable: Up to 25 copies of the final documents will be printed for distribution to responsible agencies.

TASK 4: PROJECT MANAGEMENT

Management of the project includes on-going coordination with City of Loma Linda staff, preparation of memos, and meeting preparation and attendance. In order to maximize our efforts to conduct the environmental evaluation and keep the EA/IS on track, we propose to attend up to eight meetings with all involved agencies at milestone intervals during preparation of the EA/IS.

The document preparation will be coordinated, with direction provided by the City of Loma Linda, to include the City of Redlands, the County of San Bernardino, and the EPA. Contract management will be between the City of Loma Linda and Lilburn Corporation.

3.0 INCORPORATION OF RFQ/P

As a result of the City's conversations with the EPA on Thursday, October 9, 2003, several changes to the documents required for approval of the project have changed. These have not been reflected in an amendment to the RFQ/P dated September 23, 2003 and therefore the original document does not accurately reflect the City's needs. The project is now defined as being limited to property acquisition with an abbreviated discussion of the property's proposed end use (e.g. habitat restoration).

We would recommend that language suitable to the current direction as provided by EPA be incorporated into contract documents for preparation of an Environmental Assessment. We request that this proposal not be considered a public document until such time that it may be used in a contractual agreement with the City.

4.0 PROJECT SCHEDULE

This project is on a fast track to avoid the potential loss of federal funding that has been earmarked for the San Timoteo project. The schedule presented below is expeditious for completion of a draft document; but is less optimistic to account for extensive document review and revision time that will likely result with EPA involvement. The time periods required for completion of tasks and sub-tasks is shown by weeks. Assuming a start date of November 3, 2003, a final document could be completed by July 30, 2004.

PROPOSED SCHEDULE FOR NEPA DOCUMENT SAN TIMOTEO CREEK HABITAT ENHANCEMENT PROJECT	
Notice to Proceed	Week 1
Conduct Site Review	Week 1
Draft Project Description & Alternatives	Week 1 - 4
City/County Review	Week 5 - 6
Revise Project Description & Alternatives	Week 7
EPA Review	Week 8 - 12
Finalize Project Description	Week 13
Screencheck EA/IS*	Week 13 - 16
City/County Review	Week 17 - 18
Revise Screencheck EA/IS	Week 19
EPA Review	Week 20 - 24
Finalize Document	Week 25
Public Review	Week 26 - 29
Respond to Public Comments	Week 30
City/County Review	Week 31 - 33
Prepare Screencheck Final Documents	Week 34
City/County/EPA Review	Week 35 - 37
Prepare Final Documents	Week 38

*Initial Work begins Week 5.

**PROPOSAL TO PREPARE NEPA/CEQA DOCUMENT
FOR THE
SAN TIMOTEO CREEK HABITAT ENHANCEMENT PROJECT –
PROPERTY ACQUISITION**

VOLUME I – QUALIFICATIONS

Prepared for:

**City of Loma Linda
Department of Community Development
25541 Barton Road
Loma Linda, CA 92354-3160**

Prepared by:

**Lilburn Corporation
1905 Business Center Drive
San Bernardino, CA 92408
(909) 890-1818**

October 16, 2003

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VOLUME III – COST (submitted as separate package)

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3.0	SCHEDULE OF FEES	1

I. PROJECT TEAM

Lilburn Corporation's key project team members are individuals with the appropriate experience and knowledge related to environmental issues associated with recreational and other public agency projects.

A summary of qualifications, company responsibilities, and project roles for Lilburn Corporation's key team members that will be assigned to this project is provided in this section. Complete resumes of key personnel are included as Appendix A. Each of these staff are located in San Bernardino, at 1905 Business Center Drive and have a current time availability of 25 – 30 percent.

Cheryl A. Tubbs, Principal-in-Charge

Project Role: As Principal-in-Charge, Ms. Tubbs will be responsible for ensuring that all issues are addressed in the CEQA/NEPA process and that the schedule is adhered to. She will serve as a key point of contact for the City for any contract-related issues and will be responsible for managing the product deliverable schedule.

Professional Experience Summary: Ms. Tubbs has 26 years of environmental and water resources planning and public administration experience. She has provided consulting services in water resources management and environmental planning to public and private agencies; served as Assistant General Manager of the City of San Bernardino Water Department, and Deputy Manager of Western Municipal Water District. Ms. Tubbs' project experience includes the preparation and management of Environmental Impact Reports and Assessments in compliance with both CEQA and NEPA; land use feasibility studies; regional wastewater treatment facilities; groundwater and surface water supply studies; solid waste and public facilities plans; urban water management and conservation plans; and public information/public participation programs.

Relevant Experience:

Ms. Tubbs was an Environmental Analyst and/or Project Manager for:

Initial Study/Environmental Assessment for the State Street Extension Project (Screencheck Draft completed), City of San Bernardino; EIR for the Wal-Mart Distribution/Warehouse Facility, Town of Apple Valley; Initial Study for Blackfoot Trail East Realignment in Rim Forest, County of San Bernardino; Initial Study for Fawnskin Residential Tract and Realignment of SR-38, Urban Environs; EIR for the County of San Bernardino High Desert Detention Center; Initial Study for CSA 70J Well No. 4, Storage Reservoir and Water Line, County of San Bernardino; Initial Study for the Patton Station Golf & Resort Complex in San Bernardino, Patton Golf; EIR for Expansion of the Mid-Valley Sanitary Landfill, Rialto; and Initial Study for the Apple Valley Ranchos Water Company Well No. 29.

Education:

M.B.A., Operations Management, California State University, San Bernardino.
B.A., Geography, California State University, San Bernardino.

Nancy Ferguson
Environmental Program Manager

Project Role:

As Program Manager, Ms. Ferguson will be responsible for managing the day-to-day tasks during preparation of the environmental documents. She will review all work products and ensure compliance with NEPA and CEQA. She will attend any requested meetings with the City.

Professional Experience Summary:

Ms. Ferguson has 16 years of experience in land use planning and technical analysis of environmental issues related to the development of a variety of projects. She has been Project Manager and primary author of environmental documents for development projects including: public facilities (roads, pipelines, flood control facilities, etc.), residential subdivisions, urban mixed use development projects, redevelopment project areas, court systems, shopping centers, universities and community colleges, and solid waste facilities. She is experienced in all aspects of CEQA and NEPA, from justifying Categorical Exemptions to the preparation of Program and Master EIRs, and joint NEPA/CEQA documents.

Ms. Ferguson is a member of the Association of Environmental Professionals, serving at both the State and local chapter levels, including Financial VP/CFO 1992-1996, Chair of the 2002 State Conference, and is currently the editor of the Association Journal.

Relevant Experience:

Ms. Ferguson has recently been the Project Manager and Principal author for:

EA/IS for Fort Irwin Road Improvements, County of San Bernardino; EA/IS for Central Road/Ocotillo Way Road Improvements, County of San Bernardino; Initial Study for San Timoteo Landfill Drainage Improvements; EIR for the Wal-Mart Distribution/Warehouse Facility, Town of Apple Valley; EIR for the Baseline Road Master Plan (Commercial Retail), City of Upland; EIR for the Outdoor Adventures Center Specific Plan (Commercial Recreation), City of Grand Terrace; EIR for Drydock Depot RV Boat and Storage, City of Upland; EIR for the San Bernardino County High Desert Detention Center (including Visual Resources Assessment), County of San Bernardino; EIR for the proposed Martin Ranch Residential Development, City of San Bernardino; EA and BA for the Calnev Pipeline Baker Pump Station, for National Park Service; EA and BA for the Calnev Pipeline, BNSF 3.5 mile lateral pipeline for BLM; and Initial Studies for the San Bernardino County Courts Master Plan.

Education:

B.A., Geography, California State University, San Bernardino.

Paul Kielhold
Senior Project Manager – Natural Resources

Project Role:

Mr. Kielhold will be responsible for conducting a preliminary overview of the proposed sites for acquisition to determine any potential fatal flaws regarding biological resources.

Professional Experience Summary:

Mr. Kielhold has 25 years of professional experience and has been with Lilburn Corporation for thirteen years. He was previously a Supervising Planner for the County of San Bernardino, a Project Manager for firms specializing in remote sensing and Geographic Information Systems; and a Range Conservationist and Technician for the U.S. Forest Service and the U.S. Bureau of Land Management. As a Supervising Planner with the County, he directed the preparation of EIRs for public and private projects including the County General Plan, Hazardous Waste Management Plan, Airport Master Plan, Detention Center, Zone Changes, General Plan Amendments, and various land development projects. He holds a Federal Wetlands Delineation Certificate from UC Berkeley.

Relevant Experience:

Mr. Kielhold has been responsible for the following projects: Biological Survey and Construction Monitoring at the Barstow Sanitary Landfill, Lytle Creek Levee, and several mine sites; Calnev Pipeline Biological Evaluation and EA/IS for pipeline expansion and Barstow compression station; Monitoring of waterline construction and preparation of a Resource Management Plan in compliance with a Streambed Alteration Agreement for Mitsubishi's Cushenbury Springs site; Habitat Conservation Plan for Cushenbury sand and gravel quarry; Endangered Species Act Compliance at most County landfills (including San Timoteo, Colton, Milliken, Victorville, Mid-Valley, Phelan, Twentynine Palms, and Lucerne Valley) and numerous mine sites throughout the County of San Bernardino.

Education:

B.S., Natural Resource Management, California State University, Humbolt.
1997, Certified for Federal Wetlands Delineation

MICHAEL R. PERRY**Senior Project Manager - Land Acquisition**

Project Role: Mr. Perry will be responsible reviewing the properties in question for any potential environmental constraints through the conduct of Phase I Site Assessments. His work will be summarized in the EA/IS.

Professional Experience Summary: Mr. Perry has 18 years of experience in land use planning, CEQA compliance and environmental planning. His experience also includes solid/hazardous waste planning, recycling program planning, and Phase I and Phase II Site Assessments. In addition, he has considerable experience in conducting/coordinating solid waste planning and permitting activities. These activities have included overseeing Landfill and Transfer Station/Material Recovery Facility permitting, Closure and Postclosure Maintenance Plan development, Source Reduction and Recycling and Household Hazardous Waste planning and implementation programs, providing California Environmental Quality Act (CEQA) compliance, and project management for a variety of projects. He has managed and/or coordinated the environmental compliance documentation for numerous projects in southern California, including Categorical Exemptions, Negative and Mitigated Negative Declarations, and Focused and Program Environmental Impact Reports.

Relevant Experience:

Mr. Perry has been serving as Project Manager for a number of Proposition 12 funded regional park improvement and expansion projects for the County of San Bernardino since late 2001. He has also performed numerous Phase I and Phase II Site Assessments in compliance with ASTM and Federal Standards including coordination of twelve Land Transfer Audits (Modified Phase I Assessments) for the U.S. Department of Interior, Bureau of Land Management. He has completed at least six (confidential) Phase I/Phase II site assessments for private clients throughout southern California. Other Phase I Site Assessments have been completed as a part of the following projects: Phase I Site Assessment and Environmental Assessment for the Pacific Electric Multi-use Trail, Rancho Cucamonga; Phase I Site Assessment and EIR for the Baseline Road Master Plan (Commercial Retail), City of Upland; Phase I Site Assessment Initial Study/Negative Declaration and for the Phelan Community Park, San Bernardino County Special Districts.

NATALIE PATTY**Environmental Analyst**

Project Role: Ms. Patty will assist in preparation of the EA/IS. She will be responsible for data collection and preparing various sections of the report.

Professional Experience Summary: Ms. Patty is an Environmental Analyst with eight years of professional experience including environmental compliance, Phase I Site Assessments, and solid waste planning. She has experience with environmental analysis, CEQA compliance, and mine reclamation planning. She has completed and assisted with several Initial Studies, Environmental Impact Reports, and Phase I Site Assessments for commercial, industrial, and residential developments, redevelopment project areas, infrastructure projects, judicial system facilities, solid waste facilities, and community plans. As an Environmental Analyst, her responsibilities include data collection in the field and by contacts with clients and agencies; performing analysis of data and preparing written reports. She has recently assisted in the preparation of Initial Studies prepared for several jurisdictions in the Inland Empire including the County of San Bernardino.

Relevant Experience:

Ms. Patty has assisted in the preparation of several environmental documents including:

Initial Studies for the San Bernardino County Courts Master Plan; EIR for the proposed Oak Hills Community Plan in Hesperia; Phase I Site Assessment for the Proposed Senior Center in Fontana; Phase I Site Assessment for the County's Yard 2 – Central Avenue Improvements; Initial Study for the Rancho Cucamonga Travel Center CUP; Initial Study for construction of two concrete, tilt-up industrial buildings (Cabot Industrial) in Rancho Cucamonga; Initial Study for Hoffinger Industries' Industrial Building and Initial Study for Gainery Transportation Services Truck Maintenance Facility in Rancho Cucamonga, and numerous initial studies for residential subdivisions in Rancho Cucamonga.

Education:

B.S., Environmental Science, University of California, Riverside.

II. FIRM'S QUALIFICATIONS

Lilburn Corporation is a California-based company, headquartered in San Bernardino. The staff of 14 individuals is comprised primarily of senior professional and technical specialists that represent the full complement of environmental, planning, natural resource, physical and social science disciplines. Stephen T. Lilburn, President of the company, operated Stephen T. Lilburn & Associates in the early 1980's and incorporated the present firm in 1989. Our expertise is in the permitting of projects by conducting analyses, preparing reports, and providing restoration and monitoring for compliance with the following federal and state environmental regulations:

*National Environmental Protection Act
Surface Mining and Reclamation Act
Clean Water Act*

*California Environmental Quality Act
Federal and State Endangered Species Acts*

We are committed to our reputation as innovative leaders in our industry. Most of our principals and senior staff are actively involved as appointed or elected officials in government service, members of community service organizations, and officers of professional associations. We therefore have a unique understanding of the issues that agencies must deal with in completing projects. We are able to provide additional insight to our clients' projects and work toward reasonable project solutions that meet the greatest needs of the public and private enterprise.

Lilburn Corporation staff is comprised primarily of senior level individuals with long-term experience in environmental resources, regulatory compliance, and project development. Our key individuals have the education, qualifications, and professional experience to perform at a high level on the types of projects in which the firm specializes.

Our staffing philosophy has been one of controlled growth to minimize project costs and maximize personal attention to our clients by experienced professionals.

Preparation of high quality planning and environmental documents and technical reports requires experienced land use and environmental analysis. Technical staff are degreed individuals in life and earth sciences with a minimum of two to three years experience.

Reports are completed by experienced staff who have presented and successfully defined project results before regulatory and scientific audiences. Our reports concisely communicate project results in a manner that clearly demonstrates the thoroughness and accuracy of our work.

Our drafting and CADD services personnel produce high quality graphics, 3-D computer modeling visual simulations, and technical drawings for reports, permits, planning and design studies. Lilburn Corporation provides realistic visual simulations that are both technically accurate and affordable. Depicting a situation or condition that words, charts, and one-dimensional drawings fail to convey we gain approval of projects that were originally thought to be visually unappealing or would create negative visual impact.

III. RELEVANT PROJECTS

Whether the project needs a single analysis for an individual permit, or the comprehensive array of studies needed for an Environmental Impact Report, Lilburn Corporation's experience in San Bernardino County is unparalleled. We have prepared and directed technical analyses for complex and controversial land use projects, including major community master plans, redevelopment project areas, communication and transportation corridors, public infrastructure projects, recreational facilities, mining of industrial materials and precious metals, hazardous waste disposal sites, and solid waste facilities. Our personnel are experienced researchers and technical writers that have presented and successfully defended analytical results before agencies and scientific audiences. Our staff's fundamental understanding of regulations, policies, and procedures to be dealt with in the acquisition of permits and approval of projects has gained the respect and trust of local, state and federal agencies.

Summarized below are selected projects that are similar in nature or include areas of the City's proposed enhancement project.

Santa Ana River Trail Phases I and III Initial Studies. The project is the design and construction of the Santa Ana River Trail (SART) in the County of San Bernardino. Phase I would begin at the San Bernardino/Riverside County line and traveling easterly approximately 3.3 miles to La Cadena Drive. Phase III is a 4.5-mile section beginning at Waterman Avenue and traveling easterly to Alabama Street. A Class I Bikeway will be developed as a ten-foot wide asphalt trail with an adjacent unpaved shoulder to accommodate non-motorized modes of transportation and pedestrians generally along an existing levee adjacent to the river. Lilburn Corporation prepared Initial Studies for both Phases of the Trail project for the County of San Bernardino Regional Parks Division.

Phelan Community Park - Phase I Site Assessment and CEQA Initial Study/Negative Declaration. The project is the development of an approximate 2.1-acre vacant parcel into a Community Park. Although conceptual in nature, the Phelan Community Park is proposed to consist of a basketball/multi-use area, a skate park area, children's tot-lot and picnic area, and educational community outdoor amphitheater area, restrooms, maintenance facility, and parking lot. Landscaping is proposed to be xeriscape, desert drought resistant, and low maintenance. Lilburn Corporation initially prepared a Phase I Environmental Site Assessment for the County to use in determining the viability of acquiring the property, and subsequently prepared the Initial Study. Lilburn was under contract to the County Office of Special Districts.

San Timoteo Sanitary Landfill Master Drainage Plan Initial Study/Negative Declaration and Consultation with Army Corps of Engineers and California Department of Fish and Game. The San Timoteo Sanitary Landfill is an existing Class III landfill located in the southerly portion of the City of Redlands. Under conditions of the landfill's Solid Waste Facility Permit, the landfill operator must maintain a comprehensive site surface drainage and erosion control plan, which, when implemented would prevent significant erosion and siltation impacts both on-site and downstream of the site. Drainage from the facility ultimately flows to San Timoteo Creek. The unusually wet winter of 1997-

98 put a strain on the then existing drainage and erosion control system. Heavy rain storms overtaxed the existing facilities and caused downstream flooding and erosion. As a result, the County studied the feasibility of short-term drainage improvements for the landfill that would be sufficient to accommodate a 100-year 24-hour storm event. Drainage improvements were designed to reduce erosion and flooding of the downstream areas adjacent to the landfill. The Initial Study was prepared by Lilburn Corporation for County of San Bernardino, Solid Waste Management Department. Following the Notice of Determination, Lilburn Corporation consulted with the Army Corps of Engineers under Section 404 of the Clean Water Act and the California Department of Fish and Game under Section 1603 of the Fish and Game Code.

Calnev Pipeline (Colton to Las Vegas) Biological Evaluation, Programmatic EA, and Initial Study. Calnev Pipe Line, LLC (Calnev) (now owned by Kinder Morgan) operates an interconnecting system of pipelines that transports fuel from the Colton, California area to customers located within the Mojave Desert region of southeastern California and southern Nevada. These pipelines cross Public Lands administered by the following federal agencies: U.S. Bureau of Land Management; U.S. Department of Defense, U.S. Forest Service, and U.S. National Park Service. The Calnev pipeline system is a public utility that functions as a common carrier system. It is also regulated by the U.S. Department of Transportation and serves several military air bases. As a consultant to Calnev, Lilburn Corporation prepared a Biological Evaluation to address the potential affects to threatened and endangered species resulting from the regular pipeline operations and maintenance actions and to establish criteria for ongoing maintenance in order to continue efficient operations. Project specific documents (EA/IS,BE) have also been prepared and adopted for expansions of both pipeline and compressor stations for this pipeline system.

Fort Irwin Road Improvements EA/IS and Biological Assessment. Fort Irwin Road is an approximately 22-1/2 mile long Defense Access Highway located east of the City of Barstow between Interstate 15 and the southerly boundary of Fort Irwin National Training Center. The highway serves civilian and military traffic going to and from Fort Irwin as well as a few scattered residences. To provide for an increased level of safety and driver comfort on the highway, the County of San Bernardino, in cooperation with the U.S. Army, proposed the widening of the road to add passing lanes at strategic points along the route. The County of San Bernardino is responsible for the design and construction of the project using Federal Defense Access Road, and County road funds. As a consultant to the County, Lilburn Corporation prepared a CEQA Initial Study, a NEPA Environmental Assessment, and using information provided by the U.S. Army, developed a Biological Assessment which lead to a Biological Opinion by the U.S. Fish and Wildlife Service.

IV. REFERENCES

The following public sector clients are familiar with recent work completed by Lilburn Corporation and can provide references for the firm as well as the key project team members.

Ms. Maureen Snellgrove
County of San Bernardino
Regional Parks Division
777 East Rialto Avenue
San Bernardino, CA 92415-0763
(909) 387-2591
(909) 387-2052 (fax)

Mr. Dave Reno
City of Hesperia
Community Development Department
15776 Main Street
Hesperia, CA 92345
(760) 947-1200
(760) 947-1304 (fax)

Mr. Frank Molina
County of San Bernardino
Department of Public Works
825 East Third Street
San Bernardino, CA 92415
(909) 387-8113
(909) 387-8130 (fax)

APPENDIX A

RESUMES

EDUCATION

- M.B.A., Operations Management, California State University, San Bernardino, 1987
- B.A., Geography, California State University, San Bernardino, 1977

EXPERIENCE SUMMARY

- Ms. Tubbs has 26 years of experience in environmental and water resources planning and public utility administration. Her project experience includes the preparation and management of environmental impact reports and assessments in compliance with CEQA and NEPA, land use feasibility studies, groundwater and surface water supply studies, solid waste and public facilities plans, urban water management and conservation plans, and public information/public participation programs. She has participated in and managed numerous EIRs in southern California and Nevada for residential, commercial, transportation, landfill, water supply, wastewater treatment, recreational, mining, and industrial projects.
- Ms. Tubbs has been a Vice President of a major engineering firm, Deputy Program Manager for Western Municipal Water District of Riverside County, and Assistant General Manager of the City of San Bernardino Water Department. Her project experience in water resources and environmental planning and analysis also includes management and preparation of Annual Water Supply reports, Wastewater Discharge reports, Urban Water Management Plans, Emergency Water Supply Ordinances and Water District/City Consolidation studies. During employment with the San Bernardino Valley Municipal Water District (1977-1980), Western Municipal Water District (1989-1990), and the City of San Bernardino Water Department (1990-1995), primarily responsible for the preparation of water supply planning, regional wastewater reuse, and emergency response planning documents for those agencies.

REPRESENTATIVE PROJECT EXPERIENCE

- **Apple Valley Ranchos Water Company Well 29 Initial Study.** The private water company required a new well to meet present water demands and applied to the State Department of Health Services for an amended Water Supply Permit. The project included construction of an approximately 600 foot deep well, a pump house, salt chlorine generator, electrical power supply, two seepage pits for well start-up discharge, a property perimeter block wall and a diesel emergency power generator. The estimated well flow would be 2,500 gpm or 3.6 million gallons per day (MGD) of domestic water supply. The Initial Study was prepared to meet DHS requirements and included biological and cultural resources site assessments.
- **Onaga/La Contenta Pipeline Initial Study, Joshua Tree, CA.** The Joshua Basin Water District proposed to extend an existing pipeline to provide domestic water service to approximately 10 parcels of land that had been receiving water via truck deliver. The pipeline

is an extension of the District's existing domestic water distribution system and designed to be 12" PVC connecting to an existing 12" PVC line in Navajo Trail. The total length of the pipeline extension is approximately 3,900 linear feet. An Initial Study/Negative Declaration was prepared under contract to the District. Focused environmental issues included biological resources and cultural resources.

- **Wal-Mart Distribution/Warehouse Facility EIR, Town of Apple Valley, CA.** Wal-Mart submitted to the Town, an application for a General Plan Amendment, Zone Change, Tentative Parcel Map, Development Permit and Conditional Use Permits in order to develop approximately 240 acres of a 300-acre site at the southeast corner of Dale Evans Parkway and Johnson Road. The proposal was to develop the site into a distribution/warehouse facility (including supporting buildings/infrastructure) for the distribution of consumer products throughout the southwestern United States. Development of the site at buildout would consist of 1,340,997 sq. ft. of building floor area and 43 acres of paved areas for driveways, tractor and trailer parking, and employee parking. The proposed project will provide approximately 650 temporary construction jobs and 850 permanent jobs when the facility is fully operational. Lilburn Corporation prepared a Draft and Final EIR for the project which was approved by the Town Council in August 2002. Responsible for preparation of the water supply, sewer system and wastewater treatment utilities analyses.
- **State Street Extension, City of San Bernardino EA/IS.** In the City of San Bernardino's General Plan, State Street is identified as a Major Arterial with connections to Interstate 10 at Rancho Avenue (to the south) and Interstate 215 at University Parkway (to the north). The street is currently not a thoroughfare south of 16th Street to its proposed terminus with 5th Street. The City of San Bernardino is therefore proposing to rehabilitate the existing street between 16th and 14th streets and extend State Street from 14th Street southerly to intersect with 5th Street (Route 66), just east of the Lytle Creek Wash. The total project consists of approximately 1.9 miles at a total width (including shoulder and toe of embankment) of 110 feet. Project Manager for preparation of an Environmental Assessment/Initial Study to support funding of the project by the Federal Highways Administration. The document was therefore prepared to Caltrans' format and guidelines. A screencheck Draft has been reviewed by the City and submitted to Caltrans for review prior to public distribution.
- **Fawnskin Tentative Tract 16136 and Realignment of SR-38 Initial Study.** The 95-lot residential subdivision is located on 62.5 acres on the north shore of Big Bear Lake, in the community of Fawnskin. The project includes a proposed boat dock and realignment of State Highway 38 to provide for lake front lots. The project also required a General Plan/Land Use District Amendment from RL-40 Rural Living (40-acre minimum lot size) to RS-7200 Single Residential 7,200 square foot minimum lot size. An Initial Study was prepared under contract to the property owner for use by the County of San Bernardino.

- ❑ **High Desert Detention Center EIR, San Bernardino County, CA.** The County of San Bernardino planned for a new adult and juvenile detention facility, along with a Sheriff's Station to meet the needs of the Victor Valley area. The proposed facility would house 1,000 adult detainees and 200 juveniles. The EIR was a complete evaluation of three different sites; one in Victorville and two in Apple Valley. Project Director responsible for document QA/QC and preparation of the water and wastewater treatment analyses.
- ❑ **Oak Hills Community Plan Program EIR, San Bernardino County, CA.** The Community Plan was prepared to provide a framework for future development that would occur upon annexation of County areas to the City of Hesperia. All environmental resource areas were addressed in the EIR as well as the completion of a Traffic Impact Analysis focusing primarily on impacts to I-15. Project Director responsible for document QA/QC and preparation of the water and wastewater treatment analyses.
- ❑ **Central City South Conceptual Land Use and Circulation Plan, San Bernardino, CA.** Project Manager for land use development program responding to a specific project application in the City of San Bernardino. Conceptual land use and circulation plans were developed and a program was defined to address future land uses and circulation designs for the 185-acre redevelopment project area.
- ❑ **Kaiser Steel Corporation Fontana Site Redevelopment Plan, Fontana, CA.** Participated in development of an industrial site master redevelopment plan in Fontana, California. Following closure of the steel mill, Kaiser Steel investigated potential redevelopment options for the property. Prepared reports on existing regional conditions, site conditions, and permitting requirements for various highest and best use alternatives.
- ❑ **Initial Study for the Malibu Wastewater Treatment Plant Rehabilitation, Malibu, CA.** Prepared CEQA document for the County of Los Angeles Department of Public Works to rehabilitate and upgrade the 37,500 gpd extended aeration secondary wastewater treatment plant. The plant serves three condominium complexes in the City of Malibu.
- ❑ **Initial Study for Patton Station Sports Resort/Golf Course, San Bernardino, CA.** Project Manager for CEQA Compliance (Initial Study) for a 12-hole golf course, driving range, hotel, commercial retail facility on public/private development. Responsible for review of environmental issues and coordination with City staff.
- ❑ **EIR for Expansion of Mid-Valley Sanitary Landfill, Rialto, CA.** Water Supply and Water Quality Analyst for the EIR for expansion of the Mid-Valley Sanitary Landfill (MVSL) in the City of Rialto, into a regional facility to serve western San Bernardino County. Assisted in the coordination of public meetings and in the technical review of the Draft EIR.
- ❑ **Solid Waste Master Plan and EIR, San Bernardino County, CA.** Project Coordinator for the San Bernardino County Solid Waste Management Master Plan Update. Responsible for coordination and technical editing of project elements; including the public/agency

participation program, and technical appendices for sludge management, population and land use, resource recovery and recycling, waste-to-energy facilities, landfills, transfer stations, and economics. Acted as project liaison with County staff and the Solid Waste Advisory Council.

- **EIR for San Bernardino/Colton Regional Wastewater Treatment System, San Bernardino County, CA.** Project Manager for the San Bernardino/Colton Regional Wastewater Treatment System EIR. Responsible for preparation of a full EIR for a 36 MGD tertiary treatment system to serve the cities of San Bernardino and Colton. The EIR was prepared simultaneous with the project's Facilities Plan to evaluate engineering and environmental considerations early in the planning phase.
- **Urban Water Management Plan for Hesperia Water District, Hesperia, CA.** Assisted in preparation of the Hesperia Water District's first Urban Water Management Plan (1997) and a Water Efficient Landscaping Ordinance. Developed public participation program, including conduct of four public workshops. Responsible for preparation of the UWMP's Water Shortage Contingency Plan to address short-term and long-term water shortages; a Water Efficient Landscape Ordinance, and a Water Waste Ordinance. Assisted staff in Year 2000 Update of the Plan.
- **Environmental Assessment for the Las Vegas to Southern California Super-Speed Ground Transportation System.** Assistant Project Manager and Land Use Analyst for the proposed Las Vegas to Southern California Super-speed Ground Transportation System EA. Prepared assessment of potential impacts to existing land use, recreation, and general plan and zoning regulations for Mojave Desert communities along the project corridor. Assisted in conduct of public information workshops held in Victorville, Ontario, and Las Vegas; prepared the Public Coordination Plan.
- **EIR/EIS for the City of San Bernardino Enterprise Zone, San Bernardino, CA.** Assistant Project Manager for the City of San Bernardino Enterprise Zone EIR/EIS. Participated in scoping sessions, document preparation, technical review and editing, public hearings, and preparation of Final EIR/EIS. The project was the City's application to the State Department of Commerce for designation of an Enterprise Zone to receive special development incentives for business locating within a 3,900-acre area of the City.
- **City of Victorville Reorganization Study, Victorville, CA.** Prepared a Reorganization Study for the City of Victorville evaluating the feasibility of consolidation with the Victor Valley Water District. The study evaluated reorganization options, LAFCO procedures required, current water supply and distribution systems, overlapping agency responsibilities, reclamation plans, staffing needs, customer needs, and water rates.
- **EIR for Western Riverside County Regional Wastewater Treatment System EIR, Corona, CA.** Assistant Project Manager for the Western Riverside County Regional Wastewater Treatment System EIR; a 30 MGD regional wastewater treatment plant

proposed to receive Federal and State grant funding. The EIR was prepared to meet the Clean Water Grant Program requirements. Responsible for coordination of the Public Participation Program and coordination of the EIR preparation.

PROFESSIONAL AFFILIATIONS

- ❑ Member, Water Resources Institute (CSUSB) Advisory Board January 2000 – Present; Executive Committee Secretary 2000; Executive Committee Vice-President 2001 – 2003.
- ❑ Director, San Bernardino Valley Water Conservation District, Elected November 1993; Vice-President, June 1994-August 2003; President, 2003 – Present.
- ❑ Member, Advisory Commission to the San Bernardino Valley Municipal Water District (appointed to represent SB Valley Water Conservation District), November 1995-Present.

EDUCATION

- B.A., Geography, California State University, San Bernardino, 1981

EXPERIENCE SUMMARY

- Ms. Ferguson is a Project Manager with 17 years of experience in planning and environmental compliance. She is responsible for the preparation and management of CEQA and NEPA documents on private development projects as well as public infrastructure projects. Her most recent experience is with the City of Hesperia assisting in the preparation of the Oak Hills Community Plan and project manager/principal author of the accompanying Program EIR. Ms. Ferguson routinely assists the City of Rancho Cucamonga planning staff with CEQA compliance issues for their numerous land use applications and is currently working with the City of San Bernardino Economic Development Agency staff in their efforts to reinstate eminent domain as a tool for redevelopment in a number of redevelopment project areas. In addition to these more typical planning projects, Ms. Ferguson is also preparing Mine Reclamation Plans for the City of Upland (aggregate material) and the County of Imperial (gypsum) in accordance with the State Mine and Reclamation Act.

Ms. Ferguson has managed the preparation of environmental documents (CEQA and NEPA) for a variety of planning projects including specific plans, master plans, and redevelopment projects. She also prepares environmental documents for public projects such as closure plans, permit updates and expansion plans for landfills; extension and widening of roads and bridges, and development of pedestrian/bicycle trails. Environmental compliance for these projects ranged from initial studies and negative declarations to Master and Program EIRs and tiered/focused EIRs. Related NEPA documents (categorical exclusions with studies, environmental assessments) are often prepared in conjunction with the CEQA documents.

- Ms. Ferguson has also worked in the public sector as an Associate Planner in two cities where she routinely processed planning applications requiring General Plan amendments and Zone Changes, Conditional Use Permits and/or Variances and the accompanying environmental review documents. Her projects ranged from variances for individual homeowners to General Plan amendments for large commercial, industrial, and residential development projects, including redevelopment projects and large specific plan projects.

REPRESENTATIVE PROJECT EXPERIENCE

- **Environmental Planning Consultant – City of Rancho Cucamonga.** Lilburn Corporation has a contract with the City of Rancho Cucamonga for planning services including CEQA compliance. Due to the heavy workload, planning staff asked for assistance in preparing environmental documents for numerous land use planning applications. These range from small commercial projects to large mixed used

development proposals. Environmental review includes review of applications and preparation of the appropriate CEQA documents – exemption, negative declaration or EIR. As part of the scope of work, Lilburn Corporation is responsible for distributing the Notice of Intents to Adopt a Negative Declaration and Initial Studies for public review.

- **Review and Preparation of Supplemental Environmental Documents for the City of San Bernardino Economic Development Agency.** The EDA is in the process of updating a number of redevelopment plans to reinstate eminent domain as a tool to facilitate redevelopment in a number of project areas in downtown San Bernardino. EDA staff asked Lilburn Corporation to review the program EIRs and determine their adequacy in light of their respective ages and changes in the physical and regulatory environments with regard to the reinstatement of eminent domain. Initial Studies have been completed for the Mt. Vernon Corridor, Central City South, Meadowbrook and Central City East Redevelopment Project areas.
- **Community Plan and Program EIR for the Community of Oak Hills, City of Hesperia/County of San Bernardino.** Community planning has been a joint effort between the City of Hesperia and County of San Bernardino so that approval of development projects is not contingent upon annexation. The draft Community Plan was prepared in 1995 as a set of goals and policies to maintain the areas rural lifestyle and while still allowing for growth in the community. In order to complete the Community Plan and prepare the Program EIR, it was necessary to establish quantitative goals for population, employment and housing and to identify where and at what phase public infrastructure improvements (including a road network) would be required. The Program EIR included revisions to the Draft Community Plan to establish a backbone roadway and a projected 2020 buildout scenario using current (2000) demographic and economic data.
- **Final EIR for the General Plan Update, City of Big Bear Lake, California.** The City's Comprehensive General Plan Update was completed internally by staff who requested that Lilburn Corporation assist in the review of the General Plan documents and completion the Final EIR. The General Plan Update program considered such environmental issues as density of residential development near the national forest, types of land uses near the lake, increasing the amount of open space and public space in the City and impacts to endangered species. Other issues included community design/aesthetics, population and employment and traffic/circulation.
- **Initial Study for the Extension of Eminent Domain into the Central City South Redevelopment Project Area - San Bernardino, CA.** Prepared the Initial Study for the extension of eminent domain by the City of San Bernardino Economic Development Agency into the existing Central City South Redevelopment Project Area for a period of 12 years for parcels that had a non-residential General Plan designation and/or that had an existing non-residential use.

- **Initial Study for the Extension of Eminent Domain into the Mt. Vernon Corridor Redevelopment Project Area - San Bernardino, CA.** Assisted in the preparation of the Initial Study for the City of San Bernardino Economic Development Agency to extend eminent domain for an additional 12 years within the Mt. Vernon Corridor Redevelopment Area, to allow continued efforts to revitalize the area.
- **Supplemental Program EIR for Los Angeles Harbor Industrial Center - Los Angeles Community Redevelopment Agency (CRA).** Project Manager for updating the Program EIR prepared in 1973 by the CRA for the Redevelopment Area. This supplement to the 1973 Program EIR was prepared to update existing environmental conditions, including/regulatory changes that have occurred over the last 20 years. The CRA conducts initial studies and tiers its environmental analyses from the most current information. Over time, the Program EIR will be reviewed and updated again as necessary. Updating the Program EIR allowed businesses to locate in the Redevelopment Area with little additional environmental analyses required beyond the initial study. Key environmental issues were traffic and circulation, air quality, noise, hazardous material use and disposal, and land use compatibility. Land use compatibility was a key issue for three reasons: (1) because of the area's proximity adjacent to the ports of Los Angeles and Long Beach and the Alameda corridor; (2) because oil production in the area was to continue on sites that were scheduled for development; and (3) because new distribution and light industrial land uses would likely be located near such existing, non-conforming land uses as auto dismantling and boat storage yards in the short term.
- **EIR for Ocean Promenade - Long Beach Community Redevelopment Agency.** Project Manager for preparing an EIR for a mixed use project in downtown Long Beach. The project required an amendment to the redevelopment plan to remove the 22-story height restriction in that district. The project included commercial retail, commercial office, and residential uses in one 32-story tower with six floors of underground parking. Environmental issues included traffic and circulation, parking (for retail use), and light and glare/shade and shadow on existing nearby historic buildings.

Environmental Impact Reports for General Plan Amendments

- **EIR for a General Plan Amendment and Annexation of the Martin Ranch Residential Development Project, City of San Bernardino, California.** General Plan Amendment to prezone a 353-acre site from minimum five-acre lots to four to six lots per acre; establish a Hillside Management Overlay District (HMOD) and a Conditional Use Permit for a residential subdivision in the HMOD. The proposed Tentative Tract Map would subdivide the project site into 338 single family residential lots, several open space lots and mini-park lots. The site has numerous environmental constraints including its location within a Fire Safety Overlay District and a Wind Hazard Area and is traversed by the San Andreas Fault. The site is adjacent to the San Bernardino National Forest and includes one of the few perennial streams in the area. The site also includes historic resources that have been documented by the San Bernardino County Museum.

- **EIR for a General Plan Amendment - 18th Street and Benson Avenue Residential Development, City of Upland, California.** General Plan Amendment, Zone Change and Tentative Tract Map to allow development of up to 55 single family residential lots on a site of an existing lemon grove (designated for industrial use). The site is surrounded by single family homes north and east, a water treatment plant to the south and an aggregate mine/process plant to the west in the San Antonio Wash. The site is bisected by the I-210 right-of-way scheduled for construction to begin in 2000. Construction of the new freeway would isolate the site from industrial use and associate it more with residential use to the north and east. Environmental issues included air quality, noise (aggregate processing and new freeway), and impacts on local schools and storm drains.
- **EIR for General Plan Amendment for Del Webb Sun City Palm Desert- County of Riverside.** General Plan and Zoning Ordinance amendments for a retirement community project including 5,500 residential units, two 18-hole golf courses, and a commercial center. Environmental issues included location of the project within a blow-sand hazard area, proximity to the Coachella Valley fringe-toed lizard preserve, biological resources, traffic and impacts to the I-10 interchange at Washington Street, impacts on local service and utility providers (particularly the Coachella Valley Water District, which provides the water supply and wastewater treatment), air quality, and cultural resources.
- **Master EIR for a General Plan Amendment - Mt. Sinai Memorial Park and Residential Development.** Mt. Sinai Memorial Park Inc. proposed a new cemetery development on approximately 189 acres of a 381-acre site in the City of Simi Valley. The project required amendments to the General Plan and Zoning Ordinance to allow cemetery use on the project site. The cemetery will be developed in phased 5-acre increments over a 250-year period beginning in 1995. The remaining 192 acres are to be sold and developed with low- and medium-density residential units (up to 697 units could be constructed). Key issues were hydrology and stormwater runoff, geology, traffic and circulation, and public utilities.
- **EIR for an Amendment to the City of Avalon Local Coastal Plan for Eucalyptus Hill Residential Development.** Local Coastal Plan Amendment for a low- to moderate-income residential development in the City of Avalon. The project required approval of a zoning code amendment and amendment to the Local Coastal Plan. Because the City is on the island of Catalina, a number of unique issues were addressed in the EIR, including the use of a fresh/salt water residential delivery system, impacts to public services (particularly schools), aesthetics and view impairment, and traffic.
- **EIR for a General Plan Amendment for the Oak Summit Planned Development - County of San Bernardino.** General Plan Amendment for an estate residential/golf course community on 764 acres in San Bernardino County near the City of Rancho Cucamonga. Environmental issues included geologic hazards (Alquist-Priolo Earthquake Zone), the loss of groundwater recharge areas, the loss of Riversidian alluvial fan sage scrub habitat, impacts to a freshwater marsh, and impacts on the San Bernardino National Forest. Prior to

being heard by the County Board of Supervisors, the project site was purchased as mitigation for the proposed State Route 30 Freeway project and is now known as the North Etiwanda Open Space and Habitat Preserve.

Environmental Documents for Public Projects

- **EIR for the High Desert Detention Center, County of San Bernardino.** The County of San Bernardino is planning an adult/juvenile detention center in the High Desert and chose three sites for environmental analysis, one site in the City of Victorville and two sites in the Town of Apple Valley. The Victorville site is an urban site with all infrastructure available. The two Apple Valley sites are rural and isolated from the Town, with minimal access to infrastructure. The EIR was prepared evaluating each site at an equal level of detail in order to allow the Board of Supervisors adequate information to be able to choose a site. Environmental issues included in the analysis were traffic, air quality, noise, water supply, public infrastructure and visual resources. The two sites in the Town of Apple Valley were located within the viewshed of the I-15 scenic corridor.
- **EIR for Mid-Valley Sanitary Landfill and Mine Reclamation Plan, County of San Bernardino/City of Rialto, California.** Expansion of a large urban landfill from 142 acres to 408 acres by excavating the site to depths of 250 feet with excavation material processed and used for cover material or construction aggregate products sold off-site. Environmental issues included land use compatibility in a rapidly expanding suburban area. Also evaluated were air quality, noise, groundwater (constituents associated with existing landfill and landfill liner system to protect groundwater from expansion areas), visual quality (simulations from three sides), and biological resources (gnatcatcher habitat).
- **Environmental Program Manager, County of San Bernardino, Waste System Division.** Managed a program providing CEQA compliance documents to support proposed revisions to Solid Waste Facilities Permits (SWFPs), landfill closure plans, landfill expansion plans and transfer stations in San Bernardino County. Projects included Environmental Impact Reports, Initial Studies, Negative Declarations, and Mitigation Monitoring for landfill expansion, revisions to SWFPs, and closure plans. Environmental permitting was performed for all County landfills in the Desert, Mountain, and Valley regions. Desert tortoise clearance surveys, and monitoring was conducted for expansion and site evaluation activities throughout the duration of the five-year contract. Also included in this program was the preparation of a mine and reclamation plan for a major landfill expansion project.
- **Initial Study/Negative Declaration for the 20th Street Extension/Campus Avenue Realignment, City of Upland, California.** Extension of 20th Street, an unimproved local road (included in the City's Circulation Element) and realignment of the existing Campus Avenue to accommodate the construction of the State Route 30 Freeway (I-210) through the northeast quadrant of the City of Upland. The realignment of Campus Avenue was also

required because this section of the freeway is above grade and eliminates a portion of Campus Avenue.

- **Feasibility Study for the Widening of the I-40 Bridge and Construction of a new Connector Road, Needles, California.** Feasibility Study for the widening of the I-40 bridge across the Colorado River in the City of Needles. The project includes the construction of a new access road between the bridge and the existing I-40 freeway through town. Ms. Ferguson managed the preparation of portions of the Feasibility Study including biological, cultural and paleontologic resources as well as land use. The study consisted of collecting field surveys and review of historical data bases and aerial photographs.
- **Construction Monitoring, County of San Bernardino Landfill Closure Construction Projects.** Program Manager responsible for mitigation monitoring of landfill closure construction projects in the high desert of San Bernardino County. Responsible for assigning biologists to conduct clearance surveys of landfill sites scheduled for closure and monitor tortoise activity during construction of tortoise fencing. Consultation with BLM and USFWS for permits to move tortoise outside landfill sites. Consultation with CDFG and ACOE for disturbance of blue line streams for road construction.
- **EIR for Rancho Los Amigos Medical Center Master Plan - County of Los Angeles Internal Services Department.** Master Plan to consolidate and relocate all medical center operations, which encompassed 216 acres on the north and south sides of Imperial Highway, onto a 48-acre site north of Imperial Highway in the City of Downey. South side of Imperial Highway would then be cleared for redevelopment for other County uses (court and library buildings) business park and light industrial uses. Environmental issues included increased traffic on Imperial Highway and the local neighborhood, shade and shadow, construction noise during the 20-year phased development, adequate water supply, and risk of upset associated with storage and disposal of bio-hazardous materials.

Environmental Documents for Private Projects

- **Wal-Mart Distribution/Warehouse Facility EIR, Town of Apple Valley, CA.** Wal-Mart submitted to the Town, an application for a General Plan Amendment, Zone Change, Tentative Parcel Map, Development Permit and Conditional Use Permits in order to develop approximately 240 acres of a 300-acre site at the southeast corner of Dale Evans Parkway and Johnson Road. The proposal was to develop the site into a distribution/warehouse facility (including supporting buildings/infrastructure) for the distribution of consumer products throughout the southwestern United States. Development of the site at buildout would consist of 1,340,997 sq. ft. of building floor area and 43 acres of paved areas for driveways, tractor and trailer parking, and employee parking. The proposed project will provide approximately 650 temporary construction jobs and 850 permanent jobs when the facility is fully operational. Lilburn Corporation prepared a Draft and Final EIR for the project which was approved by the Town Council in August 2002.

- **Environmental Permitting for Sumiden Wire Products Corporation – Victorville California.** Prepared applications and received permits from Mojave Desert Air Quality Management District, Regional Water Quality Control Board, California Department of Toxic Substance Control and the City of Victorville Fire Agency for construction and operation of a plant to manufacture high carbon steel tensioning material known as Prestress Concrete Strand, a seven-wire strand, specifically manufactured for prestressing and post-tensioning of concrete.
- **EIR for the Coachella Valley Regional Transfer Station – Indio, California.** Siting of a new transfer station/material recovery facility in the City of Indio with a maximum throughput capacity of 7,500 tons per day that would handle solid waste processing, recyclables processing, and solid waste transfer to a landfill. The proposed project included the use of a rail siding to ship residuals to remote landfill by rail.
- **Environmental Assessments, CALNEV Pipeline Company/Bureau of Land Management.** Program Manager for a series of EAs and Biological Assessments. Calnev is implementing an operations/maintenance program that includes upgrading pump stations, moving sections of pipeline and performing general maintenance activities that may disturb land within endangered species habitat.
 - EA – Baker Pump Station near the Community of Baker.
 - EA – New 3.5 mile lateral pipeline near Barstow.
 - EA – Cima Pump Station near Valley Wells, San Bernardino County.
- **Program EIR for Forest Home Christian Conference Center - County of San Bernardino.** Program EIR for a Master Plan to expand an existing conference center in the San Bernardino Mountains in the community of Forest Falls. The Master Plan would increase the size of the center from 187,000 to 540,000 square feet on a 484-acre site. Environmental issues included geologic, flood, and fire hazards; biological resources; traffic; noise; and wastewater treatment plant capacity.
- **EIR for Santa Ana Gateway - City of Santa Ana.** A 206,000-square-foot shopping center at the corner of Seventeenth Street and Tustin Avenue. Environmental issues were traffic and parking, aesthetics, air quality, noise, and wastewater and storm drain capacity.

PROFESSIONAL AFFILIATIONS

- Association of Environmental Professionals, Financial Vice President 1991-1996, Inland Empire Chapter Program Chair and Newsletter Editor 1998-2000. Moderator/Speaker – Fall 2001 CEQA Workshop, Chairperson 2002 State Conference.

CERTIFICATIONS & COURSEWORK

- Graduate coursework in Geography and Environmental Studies, San Francisco State University

EDUCATION

- B.S. Natural Resource Management, Humboldt State University, 1978

EXPERIENCE SUMMARY

- Mr. Kielhold has twenty-five years of experience in environmental analysis and planning. He presently serves as a project manager responsible for technical analysis, consultant coordination, report preparation and client liaison. He provides review and coordination of National Environmental Policy Act (NEPA), California Environmental Quality Act (CEQA), Federal and California Endangered Species Act (FESA and CESA), and Surface Mining and Reclamation Act (SMARA) activities and regulatory compliance with clean Water Act Section 404 and Fish and Game Code Section 1600.
- As a Supervising Planner with the County of San Bernardino, he directed the preparation of Environmental Impact Reports (EIR) for public and private projects, including the County General Plan, Hazardous Waste Management Plan, Hazardous Waste Management Facilities, Airport Master Plan, Detention Center, Zone Changes and residential developments. He was responsible for presenting staff reports for EIR certification to boards and commissions, and conducting public meetings explaining the purpose, process and requirements of CEQA. Mr. Kielhold developed guidelines and procedures for CEQA compliance and supervised County staff in the preparation of various CEQA documents.

REPRESENTATIVE PROJECT EXPERIENCE

- **Mitsubishi Cement Company - Cushenbury Mine - SMARA Permitting and Revegetation, San Bernardino County, CA.** Developed and implemented a mine reclamation plan for a 405-acre limestone mine. Primary concerns are conservation of endangered plant species, bighorn sheep and concurrent mining and reclamation.
- **Robertson's Ready Mix - Cabazon and Banning - 404/1603 Permitting, Riverside County, CA.** Developed revegetation plans for channel restoration and levee work in support of CWA Section 404 and Fish and Game Code Section 1600 permits.
- **Metropolitan Water District/Cadiz - Groundwater Storage Project - Permitting Assistance, Cadiz, CA.** Provided review of environmental documentation and permit processing for major conjunctive use/water supply project in eastern San Bernardino County.
- **Oak Ridge Estates - Section 1603 Permitting, Lake Arrowhead, CA.** Conducted review and determination of wetlands and processing of Section 1603 Agreement with California Department of Fish and Game.

- **Seven Oaks Dam - Borrow Area Reclamation Plans, San Bernardino County, CA.** Developed reclamation plans for 2,000-acre borrow areas for construction of the Seven Oaks Dam. Oversaw approval and implementation of plans for mining and reclamation through completion and closure and release of financial assurances.
- **AT&T Fiber Optic Line, Mojave Desert, CA.** Endangered Species Act and NEPA/CEQA compliance for fiber optic line spanning the Mojave Desert from the Nevada state line to the San Joaquin Valley.
- **U.S. Gypsum - Mine Planning and Revegetation Monitoring, Imperial County, CA.** Monitoring of revegetation test plots and development of reclamation plan for expansion of existing gypsum mine.
- **City of Azusa - SMARA Mine Inspections, Azusa, CA.** Conducted annual SMARA inspections for the City of Azusa.
- **County of San Bernardino Solid Waste Management Division, BLM Land Transfer, San Bernardino County, CA.** Coordination and environmental review and surveys required for exchange of desert lands for various landfill expansions.
- **Summit Valley Ranch – Endangered Species Act and 404/1603 Compliance, Hesperia CA.** Coordinated endangered species survey and CWA 404/1603 permitting for the 788-acre Summit Valley Ranch Specific Plan.
- **Sedona Red Beauty - Mine Permitting, San Bernardino County, CA.** Developed reclamation plan for the Sedona Red Beauty clay mine.
- **CEMEX - Southdown - Mine Reclamation Planning, Victorville, CA.** Developed revegetation and reclamation plans for Black Mountain and White Mountain limestone quarries. Established revegetation test plots and conduct monitoring.
- **CEMEX USA - Lytle Creek & Redlands - Mine Revegetation, CA.** Planned and designed revegetation plan for aggregate mines located in San Bernardino and Redlands. Provide oversight for implementation and provide on-going monitoring.
- **EIR for Expansion of the Mid-Valley Sanitary Landfill, Rialto, CA.** Coordinated field surveys for biological resources on the Mid-Valley Sanitary Landfill Expansion. Prepared the Biological Resources section of the EIR describing the resources present on-site, the impacts and appropriate mitigation measures.
- **Environmental Review of Bailey Creek Debris Basin and Storm Drain, San Bernardino, CA.** Prepared the Environmental Initial Study for use by the County of San Bernardino for the construction and operation of a debris basin and storm drain on Bailey Creek.

- ❑ **Endangered Species Act Compliance at the Milliken Sanitary Landfill, Ontario, CA.** Coordinated the Endangered Species Act compliance of the groundwater monitoring well construction with regard to the Delhi sands flower-loving fly (DSF). Coordinated the permitted surveyors, U.S. Fish and Wildlife staff and project staff. Developed a survey and monitoring strategy for drilling of three groundwater monitoring wells within potential habitat of the DSF.
- ❑ **Biological Survey and Construction Monitoring at the Barstow Sanitary Landfill, Barstow, CA.** Conducted pre-construction surveys and construction monitoring at the Barstow Sanitary Landfill for protected species, particularly desert tortoise and protected plant species. Briefed construction crews on Endangered Species Act requirements and job site specific avoidance measures
- ❑ **Mitsubishi Cement Corporation - Cushenbury Springs, San Bernardino County, CA.** Responsible for monitoring of waterline construction and preparation of a Resource Management Plan in compliance with a Streambed Alteration Agreement for Cushenbury Springs, which is habitat for several protected species of plants and animals.
- ❑ **Santa Fe Railway - Intermodal Facility Expansion, San Bernardino, CA.** Prepared Initial Study to define the scope of the project Environmental Impact Report (EIR). Represented the City in the preparation and review of the EIR. Responsible for monitoring of mitigation measures.
- ❑ **County of San Bernardino - Medical Center Infrastructure, Colton, CA.** Provided environmental review of mitigation measures identified in the project Environmental Impact Report. Prepared Initial Study supporting a Negative Declaration of environmental impact for the implementation of the mitigation measures, which were generally infrastructure improvements throughout the vicinity of the Arrowhead Medical Center.
- ❑ **Cushenbury Sand and Gravel Quarry, Lucerne Valley, CA.** Responsible for preparation and permitting Mine and Reclamation Plan for a 268-acre aggregate quarry as well as Endangered Species Act permits and Clean Water Act compliance.
- ❑ **Mojave River Quarry, Barstow, CA.** Responsible for development of the Mine and Reclamation Plan for aggregate mining and processing in and along the Mojave River near Barstow, California. Responsible for land use approvals as well as environmental compliance with the Clean Water Act Sections 401 and 404 and Fish and Game Code Section 1603.
- ❑ **Vector Monitoring Surveys at the Milliken Sanitary Landfill, Ontario, CA.** Refined methodology, conducted and supervised the conduct of vector (avian, insect, rodent) monitoring surveys of the Alternative Daily Cover (ADC) demonstration project. Synthetic tarps were used in place of daily soil cover. Vector numbers and behaviors were observed

to determine if vector problems were created by use of the ADC. Prepared weekly reports of observations and bi-monthly report of results.

- ❑ **Vector Monitoring Surveys at the Colton Sanitary Landfill, Colton, CA.** Refined methodology, conducted and supervised the conduct of vector (avian, insect, rodent) monitoring surveys of the Alternative Daily Cover (ADC) demonstration project. Synthetic tarps were used in place of daily soil cover. Vector numbers and behaviors were observed to determine if vector problems were created by use of the ADC. Prepared weekly reports of observations and bi-monthly report of results.
- ❑ **County of San Bernardino, North Etiwanda Open Space Program, Etiwanda, CA.** Identified lands to be preserved for natural resource conservation in the Etiwanda area. The areas to be preserved were alluvial sage scrub and habitat for threatened and endangered species (California gnatcatcher, San Bernardino kangaroo rat, mariposa lily, etc). The plan was adopted by the Board of Supervisors for use in mitigating growth and development.
- ❑ **Environmental Review for San Bernardino County, CA.** Responsible for Environmental Review of fifteen (15) Transportation Facilities Plans throughout the desert region of San Bernardino County. Prepared project descriptions, impact analyses and developed mitigation measures and monitoring programs.
- ❑ **EIR for the Phelan Community Plan, San Bernardino County, CA.** Prepared the Environmental Initial Study to define the scope of the Environmental Impact Report (EIR) for the Phelan Community Plan, and oversaw preparation of the EIR by a consultant for the County. The Phelan Community Plan includes a variety of rural land uses over a large area of the high desert and had a broad range of possible impacts.
- ❑ **San Bernardino County General Plan Environmental Impact Report, San Bernardino County, CA.** Prepared the Environmental Initial Study to define the scope of the Environmental Impact Report (EIR) for the San Bernardino County General Plan, and oversaw preparation of the EIR by a consultant for the County.

CERTIFICATIONS & COURSE WORK, PROFESSIONAL AFFILIATIONS

- ❑ California Society for Ecological Restoration, Region 5 Director, 2002-2003
- ❑ Desert Tortoise Council – Survey Techniques Workshop, November 2001
- ❑ Determining Federal Wetlands Jurisdiction, UC Berkeley, October 1997
- ❑ Graduate Study in Watershed Management, HSU, Arcata, California, 1979-1980

EDUCATION

- B.A, Business Administration, California State University, San Bernardino, 1985

EXPERIENCE SUMMARY

- Mr. Perry has 18 years of experience in land use and environmental planning. His experience also includes solid/hazardous waste planning, recycling program planning, and Phase I and Phase II Site Assessments. In addition, he has considerable experience in conducting/coordinating solid waste planning and permitting activities. These activities have included overseeing Landfill and Transfer Station/Material Recovery Facility permitting, Closure and Postclosure Maintenance Plan development, Source Reduction and Recycling and Household Hazardous Waste planning and implementation programs, providing California Environmental Quality Act (CEQA) compliance, and project management for a variety of projects. He has managed and/or coordinated the environmental compliance documentation for numerous projects in Southern California, including Categorical Exemptions, Negative and Mitigated Negative Declarations, and Focused and Program Environmental Impact Reports.
- Mr. Perry has performed numerous Phase I and Phase II Site Assessments in compliance with ASTM and Federal Standards including coordination of twelve Land Transfer Audits (Modified Phase I Assessments) for the U.S. Department of Interior, Bureau of Land Management. He has completed more than six (confidential) Phase I/Phase II site assessments for private clients throughout Southern California. During his career, Mr. Perry has been manager of Solid Waste Planning and Recycling Services for a top 100 ENR firm, serving all of the Southwestern United States.

REPRESENTATIVE PROJECT EXPERIENCE

CEQA/Environmental

- Coordinated the development of a multi-site analysis EIR for an adult/juvenile detention facility located in the high desert area of San Bernardino County.
- Project Manager for CEQA compliance on various San Bernardino County Regional Park sites. Compliance included Mitigated Negative Declarations and Categorical Exemptions.
- Coordinated and managed the development of a multi-phase environmental impact report to provide for end land uses of a closed landfill.
- Provided CEQA compliance including Environmental Impact Reports, negative declarations, and mitigated negative declarations for more than 25 governmental agencies in Southern California.

- ❑ Assisted in contractual negotiation on behalf of multiple cities for exclusive refuse/recycling hauling contracts in the Inland Empire.
- ❑ Coordinated and developed numerous Phase I Environmental Site Assessments for multiple clients in Southern California.
- ❑ Project Manager for a landfill expansion EIR in Imperial County, California.
- ❑ Project Manager for a landfill repermitting EIR in Riverside County, California.
- ❑ Project Director for a Transfer Station/Material Recovery Facility EIR in the City of Indio, California.
- ❑ Developed closure plans and post closure maintenance plans for both municipal and hazardous waste disposal sites. The closure plans have also included cost estimating for cover material, landfill gas collection systems, long term landfill maintenance.
- ❑ Assisted a multi-jurisdictional organization in developing a grant application that resulted in a multi-year recycling, diversion, and educational promotion grant for more than \$250,000.
- ❑ Coordinated regulatory and permitting compliance for a green waste processing facility in Southern California based upon emerging permitting regulations.

Planning and Waste Management Studies

- ❑ Developed and coordinated the revision of the Riverside County, County Solid Waste Management Plan (CoSWMP). This included integration of individual solid waste management plans being implemented by cities throughout the county. Coordinated the County Solid Waste Management Advisory Council and six citizens advisory groups created by the Board of Supervisors charged with providing input into the CoSWMP development.
- ❑ Assisted in the development of a strategic solid waste master plan addressing projections and needs for 40 years of solid waste services for the County of San Bernardino.
- ❑ Provided short- and long-term solid waste planning assistance to the Western Riverside Council of Governments (WRCOG) and it's 13-member jurisdictions in the development of implementation strategies and funding alternatives available to comply with AB 939 and AB 2494.
- ❑ Managed and developed more than 15 Source Reduction and Recycling Elements in compliance with AB 939 throughout Riverside, Orange, and San Diego Counties. This process often included coordination of citizens advisory groups, and presentations before planning commissions, city councils, county local task forces, and the California Integrated Waste Management Board.

- ❑ Developed numerous Household Hazardous Waste Elements (HHWEs) in compliance with AB 2707 and AB 939, for cities throughout Riverside and Orange Counties. These elements included coordination with local fire departments, emergency hazardous materials response groups, and the California EPA.
- ❑ Provided SRRE implementation services to multiple cities to include public education programs, waste generation and diversion monitoring, legislative analysis, household hazardous waste collection, and City representation to the County Local Task Force (LTF).
- ❑ Coordinated "Fatal Flaw Analysis" to determine the feasibility of expanding multiple landfills in Southern California.
- ❑ Developed an integrated Due Diligence analysis of 16 active landfills, 5 transfer stations/community collection centers, and 23 inactive/closed landfills in San Bernardino County.

PROFESSIONAL AFFILIATIONS

- ❑ California Resource Recovery Association, Member
- ❑ Southern California Waste Management Forum, Board of Directors

CERTIFICATIONS & COURSEWORK

- ❑ M.P.A., Public Administration, California State University, San Bernardino
- ❑ Registered Environmental Assessor, State of California

EDUCATION

- B.S. Environmental Science, University of California - Riverside, 1996.

EXPERIENCE SUMMARY

- Ms. Patty is an Environmental Analyst with seven years of professional experience including solid waste planning, environmental compliance, and Phase I Site Assessments. Ms. Patty has been employed with Lilburn Corporation since 1999; she has obtained experience with environmental analysis, CEQA compliance, and mine reclamation planning. She has completed and assisted with several Initial Studies, Environmental Impact Reports, and Phase I Site Assessments. As an Environmental Analyst her responsibilities include data collection in the field and by contacts with clients and agencies; performing analysis of data and preparing written reports.
- Ms. Patty's experience in solid waste management includes environmental compliance, solid waste planning and recycling. She is knowledgeable of California Code of Regulations Titles 14 and 27 for permitting solid waste facilities, transfer stations and material recovery facilities (MRF). Ms. Patty has experience in coordinating solid waste planning, landfill and transfer station permitting including Closure and Postclosure Maintenance Plans, California Environmental Quality Act (CEQA) compliance, and other types of solid waste permitting and environmental compliance projects. She has assisted and coordinated the permitting and repermitting of several solid waste facilities throughout Southern California, performed file review and research at regulatory agencies and county offices; field sampling; closure plans and solid waste facility permit applications for landfills; and siting, expansion and operation of landfills and transfer stations.

REPRESENTATIVE PROJECT EXPERIENCE

- **Initial Study for the Rancho Cucamonga Travel Center Conditional Use Permit 99-50 - Rancho Cucamonga, California.** Prepared the Initial Study for construction of a 12,748 square foot Rancho Cucamonga Travel Center proposed for a 1.73-acre parcel designated Community Commercial, within the Foothill Boulevard Specific Plan. The proposal included a 4,899 square foot convenience store with a drive-thru fast food service, a 6,237 square foot gas station canopy, a 945 square foot self serve car wash tunnel, a 217.5 square foot trash enclosure and a 450 square foot storage building. Environmental issues included potential impacts to residences located immediately north and east of the site. Appropriate mitigation measures to minimize water, air, noise, hazardous materials, and aesthetic impacts were included as part of the Initial Study.
- **Initial Study for the Extension of Eminent Domain into the Mt. Vernon Corridor Redevelopment Project Area - San Bernardino, CA.** Assisted in the preparation of the Initial Study for the City of San Bernardino Economic Development Agency to

extend eminent domain for an additional 12 years within the Mt. Vernon Corridor Redevelopment Area, to allow continued efforts to revitalize the area. No substantial adverse environmental effects not previously considered in the Program EIR were identified for the Agency's proposed use of eminent domain to stimulate redevelopment in the Project Area.

- **Initial Study for the Cabot Industrial Trust Environmental Assessment and Development Review 00-06 - Rancho Cucamonga, California.** Prepared the Initial Study for the construction of two, concrete, tilt-up industrial buildings, totaling 298,472 square feet, on a 17.73-acre lot located near the I-15 Freeway and Arrow Route in the City of Rancho Cucamonga. The proposed use of the industrial building included industrial manufacturing, warehousing and distribution. Potential environmental impacts to air quality were identified and were of particular concern during construction as fugitive dust would be generated from grading the site. Appropriate mitigation measures were developed to reduce impacts to less-than-significant levels.
- **Initial Study for the Bendetti Warehouse, Environmental Assessment and Development Review 00-08 - Rancho Cucamonga, California.** Prepared the Initial Study for construction of a two-story building consisting of an 81,960 square foot warehouse and related office space located on 4th Street in the City of Rancho Cucamonga. The end use of the warehouse included the storage of men's formal clothing with potential future use of light manufacturing. Short-term air quality impacts as a result of the proposed project were identified. The contractor was required to minimize construction-related emissions through mitigation measures presented in the Initial Study.
- **Initial Study for the Extension of Eminent Domain into the Central City South Redevelopment Project Area - San Bernardino, California.** Prepared the Initial Study for the extension of eminent domain by the City of San Bernardino Economic Development Agency into the existing Central City South Redevelopment Project Area for a period of 12 years for parcels that had a non-residential General Plan designation and/or that had an existing non-residential use. The proposed use of eminent domain was found to have a positive impact on land use in the Central City South Project Area by assisting the Agency in assembling parcels for redevelopment. Implementation of eminent domain ensured reclamation and development of land resources were consistent with current zoning and the San Bernardino General Plan.
- **Initial Study for Gainey Transportation Services, Development Review 00-15 - Rancho Cucamonga, California.** Prepared the Initial Study for the construction of a four-bay truck maintenance facility with a wash bay, parts storage, driver facilities and related office space for tractor/trailer repairs and service. The project was to be constructed on an existing site within an area zoned Minimum Impact Heavy Industrial within the City of Rancho Cucamonga. The proposed maintenance facility included the storage and use of fuel, oil and other truck-related hazardous materials. Appropriate

measures to assure impacts would be less than significant were included in the Initial Study.

- **Initial Study for the Rancho Cucamonga RV and Boat Storage, Development Review 00-17 - Rancho Cucamonga, California.** Prepared the Initial Study for the construction of the Recreational Vehicle and Boat Storage facility on a 3.7 acre site in the Southern California Edison powerline easement adjacent to the Day Creek Channel, within the City of Rancho Cucamonga. The Initial Study identified potential impacts to air quality associated with grading of the site. The Initial Study included mitigation measures to reduce impacts to less than significant.
- **Initial Study for Hoffinger Industries, Inc., Development Review 00-19 - Rancho Cucamonga, California.** Prepared an Initial Study for the construction of an industrial building on the vacant portion of existing industrial property to include an approximate 56,351 square foot warehouse, and 10,900 square feet of related office space. The area to be developed included 2.33 acres of an existing 8.35-acre site. The structure required new setbacks and future use of the existing railroad spur. Approximately 4.69 acres of the 8.35-acre site were developed with an existing 77,000 square foot industrial building. Environmental concerns with the development of the project included decreased absorption rates, increased runoff, and drainage pattern changes. Mitigation measures were included in the Initial Study to reduce impacts to less than significant.
- **Initial Study for the Cabot Distribution Center, Development Review 99-77 - Rancho Cucamonga, California.** Prepared the Initial Study for construction of a new 561,450 square-foot industrial building on 24.28 acres of vacant land that included a 549,450 square foot warehouse, and 12,000 square feet of related office space. Environmental concerns included potential impacts to a few structures on the south four-acre portion of the site that were potentially historic. A mitigation measure was included in the Initial Study for the owner to have a Historic and Cultural Resource Survey prepared prior to construction to determine any significant architectural, cultural, or historic value. Additionally, debris including concrete and roofing material was observed at the site during a visit conducted as part of the Phase I Site Assessment; roofing material is considered a potential asbestos containing material. The Initial Study included a mitigation measure to minimize potential impacts resulting from removal of the roofing material.
- **Initial Study for the Tentative Tract Map No. 15947 - Rancho Cucamonga, California.** Prepared the Initial Study for development and design review of plans and conditional use permit for Tentative Tract Map No. 15947. The project included a residential subdivision of 31 single family lots, on 10 acres of land in Low-Medium Residential District (4-8 dwelling units per area) within the Etiwanda Specific Plan, City of Rancho Cucamonga. Environmental concerns included impacts to air quality, water, and traffic. Impacts associated with the development of the tract were addressed in a Mitigation Monitoring Program adopted as part of Map approval.

- **Initial Study for the San Bernardino Counts Master Plan.** Assisted in preparation of the Initial Study for the Central Courthouse Complex that was part of a series of Initial Studies to evaluate five potential court system facility sites in the High Desert, West Valley, and East Valley areas of San Bernardino County. Several of the County's court facilities reached a level of use that if extended any further would become inefficient to operate. The combination of increasing demand for services and aging of buildings and infrastructure required a systematic approach to the future prioritization and allocation of capital resources. The Initial Study identified cumulative effects on public utilities, traffic, and infrastructure. Additionally, potentially adverse effects to air quality, geology/soils, and noise were identified. The Initial Study concluded that an EIR should be prepared to focus on these issues.
- **EIR for Oak Hills Community Plan - County of San Bernardino.** Prepared several sections of the EIR for this amendment to the County of San Bernardino and City of Hesperia General Plans. The proposed project, Oak Hills Community Plan, addresses the concerns for orderly growth expressed by the Oak Hills Advisory Committee in a series of public workshops. Property owners along the freeway corridor sought services provided by the City to facilitate growth and development of more intense land uses than allowed under the County's general plan. Residents of rural Oak Hills community, were concerned about uncontrolled growth and the loss of the rural character. The County's Local Agency Formation Commission (LAFCO) stipulated that the City could pursue no additional annexations until a community plan was completed. The community plan was prepared to guide future annexation of unincorporated lands within a 28 square mile area to the City of Hesperia. The EIR addressed potential effects to planning goals and policies adopted by both the County and the City.
- **Wal-Mart Distribution/Warehouse Facility EIR, Town of Apple Valley, CA.** Wal-Mart submitted to the Town, an application for a General Plan Amendment, Zone Change, Tentative Parcel Map, Development Permit and Conditional Use Permits in order to develop approximately 240 acres of a 300-acre site at the southeast corner of Dale Evans Parkway and Johnson Road. The proposal was to develop the site into a distribution/warehouse facility (including supporting buildings/infrastructure) for the distribution of consumer products throughout the southwestern United States. Development of the site at buildout would consist of 1,340,997 sq. ft. of building floor area and 43 acres of paved areas for driveways, tractor and trailer parking, and employee parking. The proposed project will provide approximately 650 temporary construction jobs and 850 permanent jobs when the facility is fully operational. Lilburn Corporation prepared a Draft and Final EIR for the project that was approved by the Town Council in August 2002. Responsible for preparation of the EIR included gathering data and preparing the Public Services, Utilities, and Air Quality sections of the document.
- **EA/Habitat Conservation Plan - County of San Bernardino.** Assisted in preparation of the Habitat Conservation Plan (HCP) required for the Issuance of an Endangered Species Act Section 10(A)(1)(B) Permit for incidental take of the San Bernardino

kangaroo rat, Slender-horned spineflower, and the Santa Ana River woollystar. The HCP addressed two areas with a total of approximately 42 acres of Riversidian Alluvial Fan Sage Shrub (RAFSS) and 25 acres of previously cleared RAFSS to be disturbed by mining activities. The owner held approved reclamation plans to mine and reclaim the site, but biological surveys in and around the project site recorded the presence of listed endangered species. The HCP discussed the establishment of a 200-acre habitat reserve area to compensate for the incidental take of the species.

- **Phase I Site Assessment for Yard 2 - Central Avenue Improvements, San Bernardino County.** Assisted in the preparation of the Phase I Site Assessment for three properties near the City of Upland, for the County of San Bernardino. Assistance included report writing, agency file review, review of environmental reports, review of historic aerial photographs and USGS maps, and report assemblage. The project involved the County obtaining right-of-ways along these projects in order to make improvements along Central Avenue. The Environmental Assessment reviled a 1930s, 15,000-gallon diesel fuel heating oil storage tank. The tank was removed in 1998 in accordance with applicable regulations. The Environmental Site Assessment concluded that the tank would not present environmental concerns but care should be taken during improvement activities to avoid unearthing pipe remnants.
- **Phase I Site Assessment Proposed Senior Center, San Bernardino County.** Assisted in the preparation of the Phase I Site Assessment for evaluation of two, 4.52-acre parcels located along Foothill Boulevard in the City of Fontana. The proposed project included the construction of a new Senior Center. An Environmental Site Assessment was required to evaluate the properties for current and historical sources of environmental concerns, evidence of hazardous substance disposal or releases from or onto the properties, evidence of environmental threats from adjacent properties, and whether further environmental testing of the properties was warranted. Assistance included data gathering, review of environmental reports, review of historic aerial photographs and USGS maps, review of regulatory agency documents, report writing and assemblage.
- **Preliminary Environmental Site Review - Clark County, Nevada.** Performed a thorough file review necessary for preparing an environmental site assessment which included three properties located in Las Vegas, Nevada. The project required the review of files documenting violations which occurred at the properties, and review of all records regarding the installation and removal of underground and aboveground storage tanks.
- **Financial Assurance Cost Estimates.** Assisted with several Financial Assurance Cost Estimates in accordance with SMARA Sections 2770 and 2773.1, for mines located in southern California. These sections require surface mining operators to obtain lead agency approved financial assurance for reclamation of mined lands in accordance with approved plans. Prepared discussions of costs associated with primary reclamation

activities, revegetation of the site, removal of facilities, any miscellaneous costs, and monitoring of the site after closure.

- ❑ **San Timoteo Sanitary Landfill JTD - County of San Bernardino.** The project included a year 2000 amendment of the Solid Waste Facility Permit (SWFP) for the San Timoteo Sanitary Landfill issued in October 1995. Pursuant to CCR, Title 27 all SWFP's are required to undergo review at least once every five years and be revised as necessary. Updates to the San Timoteo SWFP included revising the Report of Disposal Site Information (RDSI) into the new Title 27 Joint Technical Document format, a JTD index, descriptions of the landfill gas system, disposal operations in the lined unit, new drainage improvements, disposal of dewatered sewage/water treatment sludge and other changes in operations.
- ❑ **Milliken Sanitary Landfill Solid Waste Facility Permit - County of San Bernardino.** Assisted in re-permitting and CEQA compliance of the Milliken Sanitary Landfill in San Bernardino County. Assistance included development and assemblage of a Report of Disposal Site Information (RDSI), assessment of County Load Reports, and assessment of local, state, and federal permitting requirements.
- ❑ **San Diego County Disposal Facilities Due Diligence Review.** Conducted a thorough file review to develop a report of findings for two landfills in San Diego County. The project was a proposal to purchase the entire San Diego County solid waste system. The client required an intense review of LEA inspection reports, regulatory agency correspondence, necessary operating documents and reports, and monitoring results for all of the facilities. Conducted research of ownership, acreage, value and zoning ordinances for land parcels adjacent to the landfills within the County. Efforts also included coordination of the project and final report assemblage. The client submitted a bid to the County based on the report findings and was eventually awarded the system.
- ❑ **Final Closure/Postclosure Maintenance Plans for Needles, Hesperia and Milliken Sanitary Landfills - County of San Bernardino.** Assisted in the necessary report preparation, data gathering, and assemblage of closure plans and post closure maintenance plans for the Needles, Hesperia, and Milliken disposal sites. Project assistance included research of newly revised regulations, project coordination, report writing, client contact to obtain necessary as-builts and descriptions of proposed systems, and report assemblage.
- ❑ **Transfer Station Permitting - County of San Bernardino.** Coordinated the development and permitting of three new transfer stations in San Bernardino County. Efforts included project coordination, data gathering, report writing and assemblage of the Report of Station Information (RSI). Assignments also included completing an application for a Solid Waste Facility Permit, obtaining air quality permits, and CEQA compliance.

- **Report of Disposal Site Information Addendums - County of San Bernardino.** Prepared RDSI Addendum's for numerous landfills in San Bernardino County including Apple Valley, Baker, Barstow, Colton, Hesperia, Landers, Lenwood-Hinkley, Mid-Valley, Morongo Valley, Newberry, Phelan, San Timoteo, Trona-Argus, Twentynine Palms, Victorville, and Yermo sanitary landfills. The addendums were prepared in accordance with Title 14 which requires owners to maintain an updated version of the RDSI necessary for maintaining compliance with the local enforcement agency, California Integrated Waste Management Board and the Regional Water Quality Control Board.

- **Report of Site Information for the Vista Materials Recovery Facility/Transfer Station (MRF/TS) - San Diego County.** Assisted in the preparation of the Report of Site Information for Vista MRF/TS, a 2,400 tons per day facility in San Diego County. Efforts included assistance with the project description, coordination with other firms preparing other sections of the permit, and CEQA compliance.

DETAILED BACKGROUND INFORMATION ON THE SAN TIMOTEO CREEK HABITAT ENHANCEMENT PROJECT/EPA GRANT

In 1999 and 2000, Congressman Jerry Lewis was instrumental in obtaining \$2.5 million dollars in grant funding for the City of Loma Linda through the Congressional appropriation process. The grant funding was intended for habitat enhancements along the San Timoteo Creek Channel and as such, assigned to the Environmental Protection Agency (EPA) for administration and dispersal. According to the EPA, the City proposal must demonstrate that the creek enhancements will meet EPA criteria (essentially – restoration and/or creation of habitat), and the City must provide matching funds (45% of the cost of the \$2.5 million grant).

The EPA criteria are strict and require the following:

1. Vegetation selection to replace that removed;
2. Continuity of vegetation upstream and downstream;
3. Biological studies to support its effectiveness and compliance with the federal Environmental Protection Act (NEPA); and,
4. Dedication of the area as natural (not subject to human use).

As part of the improvements to the San Timoteo Creek Channel, the Corp of Engineers will be providing creek enhancements within the creek right-of-way (both natural and recreational). The natural part would augment that requested in the EPA grant and should assist in meeting criteria (continuity of vegetation).

On September 26, 2000, the City of Loma Linda adopted a resolution to share the grant with the City of Redlands and County of San Bernardino. The City of Redlands and County of San Bernardino adopted similar resolutions. It was agreed that the City of Loma Linda would act as the lead agency and the grant administrator for all three jurisdictions. The benefit of the grant-sharing scheme is that it would assist in meeting the EPA criteria by spreading the habitat to portions of the creek into the City of Redlands and the unincorporated County area located between the two cities. It also scales down the grant amount (and matching funds) to that which is more usable for the City of Loma Linda.

The portion of the grant proposed by for Loma Linda would result in the acquisition of around eight to ten parcels, easements, or long-term land leases along the San Timoteo Creek Channel. Due to the existing development adjacent to the channel, there are very limited opportunities to establish habitat in Loma Linda's urbanized area. The lion's share of the grant (about 75%) would be used for property acquisition in the San Timoteo Canyon area of the City of Redlands. The habitat along the creek in this area is fairly well established and will be preserved by as open space. This area will be further enhanced by habitat established by the Army Corps of Engineers project within the creek right-of-way.

On June 25, 2003, the EPA approved the City's grant application and proposal for the San Timoteo Creek Habitat Enhancement Project. According to the EPA, no funds will be released pending completion and approval of the environmental documents. Therefore, the next step is to complete the environmental documentation for the project as expeditiously as possible.

EXHIBIT B

PROPOSAL TO PREPARE NEPA/CEQA DOCUMENT FOR THE SAN TIMOTEO CREEK HABITAT ENHANCEMENT PROJECT – PROPERTY ACQUISITION

VOLUME III – COST

Prepared for:

**City of Loma Linda
Department of Community Development
25541 Barton Road
Loma Linda, CA 92354-3160**

Prepared by:

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October 16, 2003

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1.0 PROJECT COST BY TASK

The total estimated project cost, by task is shown in Table 1.

2.0 COMMITMENT TO COST PROPOSAL

All costs presented in Table 1 represent a total not-to-exceed amount for completion of the work presented in Volume II: Scope of Work.

3.0 SCHEDULE OF FEES

Listed below is Lilburn Corporation's Billing Rates for classifications of personnel that would be assigned to the San Timoteo project. The rates are broken down as requested in the RFQ/P. These rates will be effective for work performed on this project through December 2004. This billing information is included as a part of this cost proposal for extra work that may be incurred beyond what is identified in Volume II.

The burden and overhead figures presented below have not been audited and are subject to change upon state or federal agency review. Salary and benefits does not include profit sharing which is distributed as bonus pay.

TABLE 2				
HOURLY RATE SCHEDULE FOR CY 2003-04				
Job Classification	Average Salary & Benefits	Overhead	Profit	Billing Rate
Project Director	\$51.75	\$77.11	-\$3.86	\$125
Senior Project Manager	\$39.98	\$59.57	\$10.45	\$110
Environmental Analyst II	\$26.31	\$39.20	-\$0.51	\$65
Environmental Analyst I	\$19.72	\$29.38	\$5.90	\$55
Senior CAD Designer	\$27.62	\$41.15	\$6.23	\$75
CAD Operator I	\$19.36	\$28.85	\$1.79	\$50
Word Processor	\$19.36	\$28.85	-\$0.21	\$48

LILBURN CORPORATION - ESTIMATED COSTS

Environmental Assessment/Initial Study for San Timoteo Creek Restoration Program Property Acquisition City of Loma Linda

COST CATEGORY		LABOR										TOTAL ESTIMATED COSTS	
TASKS		Project Director \$125/hr.	Sr. Project Mgr. \$110/hr.	Env Analyst II \$65/hr	CAD Operator \$50/hr.	Word Processor \$48/hr.	Labor Subtotal		Other Direct Costs				
							Hours	Costs	Expenses	Sub's			
Task 1: Data and Site Review Visit, Develop Project Description & Alternatives			60		16	4	80	\$7,592	\$55	\$0	\$7,647		
Task 2: Prepare EA/IS and Circulate to Public	a	6	160	72	10	12	260	\$24,106	\$1,900	\$0	\$26,006		
Task 3: Prepare Final Documents			16	16		12	44	\$3,376	\$104	\$0	\$3,480		
Task 4: Project Management (Including Meetings)	b	8	60			4	72	\$7,792	\$75	\$0	\$7,867		
TOTAL:		14	296	88	26	32	456	\$42,866	\$2,134	\$0	\$45,000		

a: Includes data base & title research, document reproduction and public distribution (50 copies)

b: Includes time for review meetings, public meetings and hearings (ten meetings; five of these to be attended by two PMs)